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ABSTRACT

The Kansas state plan for FY 1979 includes information on the following topics: full educational opportunities goal, policy on priorities, child identification, personnel development, individualized education program, procedural safeguards, least restrictive environment, protection in evaluation procedures, participation of private school children, private school placement, recovery of funds for misclassified children, local education agency applications for funds under P.L. 94-142, the Education for All Handicapped Children Act, and evaluation. Five tables on such areas as projected personnel needs and service needs in priority areas are also included. (CL)

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Annual Program Plan

Fiscal Year 1979

Title VI-B, Education of the Handicapped Act

Approved by Governor Robert F. Bennett
July 7, 1978

Approved by State Board of Education
July 11, 1978

Kansas State Department of Education
Kansas State Education Building
120 East 10th Street Topeka, Kansas 66612

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B. Education of Exceptional Children Act Kansas Administrative Regulations

C. *Kansas State Plan for Special Education*

D. Bulletin 401

E. Program Approval and Compliance Form

F. *Statewide Goals For Education in Kansas*

I

CERTIFICATION OF STATE ATTORNEY GENERAL
121a.6, Title 45 CFR

I hereby certify that:

1. The Kansas State Department of Education has authority under State law to submit a State plan pursuant to Part B of the Education of the Handicapped Act (Public Law 91-230, Title VI, as amended), and to administer or supervise the administration of the plan:

2. Said agency has authority under State law to carry out, directly or through local educational agencies, the activities described in the plan: and

3. All plan provisions are consistent with State law.

_____
SIGNATURE

_____
DATE

_____
TYPED NAME AND TITLE OF STATE LEGAL OFFICER

SUBMISSION STATEMENT

I, the undersigned authorized official of the State Education Agency of Kansas, hereby submit the following amended Annual Program Plan for Fiscal Year 1979 under Part B of the Education of the Handicapped Act, as amended by Public Law 94-142.

I CERTIFY that the following assurances will be met within the State of Kansas.

1) That the Annual Part B Program Plan under Public Law 93-380 for Fiscal Year 1976-1977 is hereby incorporated by reference into the APP for Fiscal Year 1979 and that no revisions have been made which have not been submitted to the USOE/BEH and approved.

2) That the State Plan Amendment for Fiscal Year 1978, along with the EHA State Plan and previous amendments, has been made available to parents, guardians and other members of the general public at least thirty days prior to the date of submission. The summary of the public comments and action taken are attached as Appendix A. (613(a), Public Law 93-380)

3) That the attached State Plan amendment for Fiscal Year 1979 has been adopted by the State Board of Education on July 11, 1978
NAME OF STATE EDUCATION AGENCY *DATE*

4) That the State Plan submitted under the provisions of Public Law 93-380 together with the attached amendment to the plan, constitute the basis for the operation and administration of the activities to be carried out in the State under Part B of the Education of the Handicapped Act, as amended by Public Law 94-142. (121a.6, Title 45 CFR)

5) The amended Annual Program Plan for Fiscal Year 1979 was submitted to the Governor on May 10, 1978, to provide 45 days for an opportunity for comment on the relationship of this plan to other State plans and programs for the handicapped in accordance with 45 CFR 100b.15 of Office of Education General Provisions Regulations. The Governor's comment, or a statement that no comments have been made, is attached.

6) The State Education Agency is responsible for assuring that the requirements of P.L. 94-142 are carried out and that each educational program for handicapped children administered within the State, including all programs administered by any other State or local agency, is under the general supervision of the State Education Agency persons responsible for educational programs for handicapped children and that all such programs will meet the education standards established by the State Education Agency. (612(6), 121a.34(b))

7) Procedures have been established for consultation with individuals involved in or concerned with the education of handicapped children, including handicapped individuals and parents or guardians of handicapped children. (612(7) (A), 121a.37)

8) Funds received by the State or any of its political subdivisions under any other Federal program, including Section 121 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 241e-2), Section 305(b) (8) of that Act (20 U.S.C. 844a(b) (8) or its successor authority, and Section 122(a) (4) (B) of the Vocational Education Act of 1963 (20 U.S.C. 1262(a) (4) (B), under which there is specific authority for assistance for the education of handicapped children, will be used by the State or any of its political subdivisions, only in a manner consistent with the goal of providing free appropriate public education for all handicapped children, except that nothing in this section will limit the specific requirements of the laws governing those Federal programs. (613(a) (2), 121a.39)

9) Control of funds under Part B of the Act, and title to property acquired with those funds is in a public agency for the uses and purposes provided in Part B, and that a public agency will administer the funds and property. (613(a) (6), 121a.43)

10) The State will keep such records and afford access to those records as the Commissioner deems necessary to assure correctness and verification of reports and proper disbursement of funds. (613(a) (7) (B), 121a.44)

11) Funds made available under Part B of the Act will not be commingled with State funds and will be used to supplement and increase the level of State and local funds expended for the education of handicapped children. (613(a) (9), 121a.46)

12) Consistent with procedures under Section 617(a) (2) of the Act, the State will adopt necessary fiscal control and fund accounting procedures to assure proper disbursement of, and accounting for, Federal funds paid under Part B of the Act, including any of those funds paid to local education agencies. (613(a) (10))

13) Confidentiality safeguards are being followed in the child identification program and all other aspects of our program as outlined in the Confidentiality Section of the 1976 Amended Annual Program Plan for EHA-B. This Confidentiality Section will be made available to parents, guardians, and other members of the general public upon request. (612(2) (D), 121a.450 - 121a.465)

14) A State Advisory Panel on the Education of Handicapped Children will be appointed by the Governor or any other official authorized under law to make such appointments and the composition of the panel will include at least one person representative of each of the following groups; handicapped individuals; teachers of handicapped children; parents or guardians of handicapped children; State and local education officials and Special Education Programs Administrators. (613(a) (12), 121a.48, 121a.550 - 121a.552)

OR

The existing Advisory Panel on the Education of Handicapped Children will be modified so that it fulfills all of the requirements and functions contained in Part B.

_____
DATE

_____
Signature of Chief State School Officer or person authorized to submit this plan

_____
Date Received in Bureau

_____
Typed Name

_____
Title

GOVERNOR'S COMMENTS

The following are the comments received from the Governor on this Annual Program Plan.

OFFICE OF THE GOVERNOR
State Capitol
Topeka

ROBERT F. BENNETT
Governor

July 7, 1978

Commissioner Merle R. Bolton
State Department of Education
120 East 10th Street
Topeka, Kansas 66612

Dear Commissioner Bolton:

I have reviewed your Fiscal Year 1979 Annual Program Plan for Title VI-B, Education of the Handicapped. This plan continues to show improvement as in the Department's other plans. In particular you have included the Department's goal on the right of each child to an education and have provided additional information on the use and priorities for VI-B funding of special projects.

While this plan has improved, I do have difficulty in reviewing both a VI-B plan for federal funding and a State Plan for Special Education. These plans contain much of the same information yet one plan often lacks such information as funding while the other may lack information on program evaluation. Since both plans are federally required and the federal government has recently relaxed many of its planning requirements, I am recommending that next year's plans be combined. This combination will make review easier and should eliminate some unnecessary expenditures of people's time and materials.

I appreciate the opportunity to review this plan.

Very sincerely,

Robert F. Bennett
Governor of Kansas

RFB:ssg

RECEIVED
JUL 11 1978
COMMISSIONER
OF EDUCATION (B)

II

Right To Education Policy Statement

A right to education policy statement was made by the Kansas State Board of Education as early as July 6, 1972, when it adopted a set of goals and objectives as a proposed action strategy for the 1970's. These goals and objectives were formulated after a three-year study which systematically solicited the opinions and concerns of thousands of education professionals, students, parents, local board members, and other lay citizens. They clearly indicate the State's philosophy that all Kansas children and youth, including those classified as *exceptional*, not only have a right to a free public education, but also to an education which is appropriate to their needs.

GOAL I: The Kansas Educational Programs Shall Provide For All People In Kansas Continuous And Successful Acquisition Of Skills, Knowledge, And Attitudes Which Are Appropriate And Conducive To Individual Personal Growth And Development Necessary For A Productive And Satisfying Life In A Changing Society.

GOAL II: The Kansas Educational System, Recognizing Disparity Of Educational Opportunity Afforded Various Segments Of The Population, Shall Provide Programs Specific To The Needs Of All Groups.

SUB-GOAL — All exceptional children from birth through youth should have educational services available in local schools or cooperatives. (A cooperative is established when two or more schools pool resources for specified purposes.) These services should be provided in either specialized groupings for specific handicapping conditions or through programs providing supportive services to exceptional children and youth who spend most of their time in the general education mainstream.

SUB-GOAL — An inter-agency should coordinate programs at institutions of Kansas to implement equal education for all institutionalized people according to their needs and abilities, as identified through needs assessment, with the purpose of initiating each student's return to society and its labor force. (Statewide Goals for Education in Kansas, Appendix F)

The State Department of Education believes that substantial progress has been made toward the goals related to the right of each exceptional child to a free and appropriate public education. The first special education mandate in Kansas was enacted in 1969 and requires programs for mentally retarded, learning disabled, cerebral palsied, and epileptic children. Legislation, enacted in 1974, requires the board of education of each school district to provide special education services which will contribute to the optimal development of all school age handicapped and gifted children within its jurisdiction. Children in State institutions also must have the availability of special education which meets the standards and criteria of the State Department of Education as set forth in the *Kansas State Plan for Special Education.* Statutory procedural safeguards guarantee that no child may be denied or placed in special education without due process of law, nor may any child's current special education placement be changed.

The 1970's have brought significant changes in Federal laws, rules and regulations guaranteeing the right of all handicapped children to equal educational opportunity. The enactment of Section 504 of the Rehabilitation Act of 1973 (P.L. 93-112) and the 1975 amendment of the Education of the Handicapped Act (P.L. 94-142), along with effectuating regulations, specify basic provisions and procedural safeguards that must be followed

by public agencies to assure the educational rights of this population. The Federal Acts, in general, have paralleled and reinforced existing Kansas practices, laws, and regulations. The following chart outlines the major Federal requirements and shows the dates and source document for each comparable State requirement.

	Requirement	Federal Enactment P.L. 94-142	Federal Enactment P.L. 93-112	State Enactment
1.	Free appropriate public education for all handicapped.	Statutory Section 612 (1975)	Regulatory Section 84.33 (1977)	K.S.A. 72-933 - (1969) D.D. Mandate K.S.A. 72-966 - (1974) Exceptional Child Mandate K.S.A. 72-967 - (1977) Mandate extended to State institutions
2.	Child identification.	Statutory Section 612 (1975)	Regulatory Section 84.32 (1977)	K.S.A. 72-5205 - (1959) Vision Screening K.S.A. 72-1205 - (1969) Hearing Screening *Kansas State Plan for Special Education* -1976 authorized K.S.A. 72-963 (1974)
3.	Individualized Educational Program (IEP)	Statutory Section 612 (1975)	Regulatory Section 84.33 (1977) Note: IEP cited as one way to meet requirement for *appropriate* services.	1976 *Kansas State Plan for Special Education* authorized K.S.A. 72-963 (1974)
4.	Procedural Due Process Prior notice Impartial hearing Review procedures	Statutory Section 615 (1975)	Regulatory Section 84.36 (1977)	K.S.A. 72-972 through 72-975 (1974)
5.	Non-discriminatory Evaluation Procedures	Statutory Section 615 (1975)	Regulatory Section 84.35 (1977)	K.S.A. 72-963 (1974)

III

Full Educational Opportunities Goal

A. Goal Statement

The State of Kansas hereby establishes the following goal of providing full educational opportunities to all handicapped children: By September 1, 1978, all handicapped children in the state who are of school age will be provided full educational opportunities in programs meeting standards established and approved by the State Board of Education. The July 1, 1974, date mandated for the implementation of special education services for mentally retarded, learning disabled, cerebral palsied, and epileptic children (K.S.A. 72-933) remains unchanged.

Although handicapped children from birth to age five are excluded from the State mandate, school districts may, and are encouraged to, provide special education to this age group. It is the goal of the State Department of Education to locate and identify all preschool handicapped children and to work toward the development of programs which afford them full educational opportunities.

1. Definition: School Age

Special education services for a handicapped child shall be implemented at the age at which the child's local board of education provides educational services for non-exceptional children and shall be extended through the school year during which he/she reaches age 21 or until he/she has completed an appropriate curriculum, whichever event shall first occur. Special education services for preschool children are authorized but not mandated (K.A.R. 91-12-21).

2. Definition: Handicapped

Kansas legislation (K.S.A. 72-966) requires the provision of special education services for all exceptional children by July 1, 1979. Exceptional children are defined as those who *differ in physical, mental, social, emotional, or educational characteristics to the extent that special education services are necessary to enable them to progress toward the maximum of their abilities or capacities* (K.S.A. 72-962). This definition includes both handicapped and gifted children. The *Kansas State Plan for Special Education* further defines the following categories of the handicapped children: mentally retarded, deaf-blind, language/speech impaired, hearing impaired, personal and social maladjustment (emotionally disturbed), physically impaired, severely/multiply handicapped, specific learning disabilities, and visually impaired.

B. Priorities for Use of Title VI-B, E.H.A. Funds

The State of Kansas shall use its entitlement under Part B of the Education of All Handicapped Children Act in accordance with the following priorities:

First priority shall be given to locating, identifying, and providing a free appropriate public education to handicapped children who are of school age as defined in state regulations and who are currently receiving no educational services.

Second priority shall be given equally (1) to locating, identifying, and providing a free appropriate public education to handicapped preschool children and (2) to providing *all* of the special education and related services needed by those children with the most severe handicaps within each disability area who currently are receiving inadequate or inappropriate services.

C. Procedures for Implementation

The State Board of Education is responsible for establishing standards for the implementation and maintenance of special education services and for supervising these services in school districts, private facilities, and state institutions. State institutions include both those under the authority of the State Board of Education and the State Department of Social and Rehabilitation Services. Kansas statutes, regulations, and standards prescribe the procedures to be followed by State agencies and local school districts pursuant to implementation of full educational opportunities for exceptional children.

1. School Districts

The Special Education for Exceptional Children Act (Appendix B) requires each local board of education to provide special education to all exceptional (handicapped and gifted) children *in the school district and said special education services shall meet standards and criteria set by the state board* (K.S.A. 72-966). In order to comply with this requirement, each local board of education has the authority to:

(a) Establish and organize approvable special education services for exceptional children within its schools.

(b) Provide for approvable special education services in the home, hospital, or other facility.

(c) Contract with any school district for special education services. Before entering into any such contract, the special education services to be provided by such school district, and the contract therefore, shall be approved by the state board, which approval shall be granted if the special education services provided for in such contract meet standards and criteria set by the state board in accordance with the state plan. Any such contract may provide for the payment of tuition by the contracting school district.

(d) Enter into cooperative agreements with one or more other school districts for special education services, if such agreements are approved as provided by this act.

(e) Contract with any accredited private nonprofit corporation or any public or private institution within or without the state which has proper special education services for exceptional children. Prior to the time any school district enters into a contract with any private nonprofit corporation or any public or private institution for the education of any exceptional child, the curriculum provided by such corporation or institution and the contract shall be approved by the state board (K.S.A. 72-967).

The *Kansas State Plan for Special Education* (Appendix C) was adopted by the State Board of Education in April, 1976, to replace all previous special education standards and guidelines. It constitutes the effectuating rules and regulations for the Special Education for Exceptional Children Act. This document, as authorized by K.S.A. 72-963, includes:

(a) A statement of the objectives of state supervision of special education services in school districts and state institutions.

(b) Provisions for the establishment, maintenance, and supervision of special services in school districts and state institutions.

(c) Prescribed courses of study and curricula necessary to meet requirements for approval of special education services.

(d) *Criteria for screening, diagnosis, and certification of exceptional children including physical, educational, and psychological examinations.*

(e) *Definitions of the various categories of exceptionality.*

(f) *Implementation dates of special education services for the various categories of exceptionality.*

(g) *Standards for special education services to be received by each of the several categories of exceptional children.*

2. Special Purpose Schools

Bulletin 401 (Appendix D) sets forth rules, regulations, and standards for the accreditation of private schools and institutions as providers of special education. Administrative procedures for the accreditation of special purpose schools are defined in the *Kansas State Plan for Special Education* as follows:

Special purpose schools may be accredited private nonprofit corporations or foundations serving exceptional children within or without the State of Kansas or accredited state institution education programs within or without the state which serve exceptional children.

Initial requests for accreditation as a special purpose school, as well as subsequent organizational reports and self study reviews, are directed to the Program Approval and Compliance Section. All such applications and reports also are reviewed by Special Education Administration. A team, including special educators from the field and State Department of Education staff, will make on-site visits to determine eligibility for accreditation as a special purpose school. The level of staff training and appropriateness of the curriculum are the major considerations of the Accreditation Team in their evaluation of the educational program. The Accreditation Team's evaluation and recommendations for or against accreditation are to be filed with the Program Approval and Compliance Section. The recommendations are forwarded to the State Board for action.

3. State Institutions

Every state institution shall provide special education services for all exceptional children housed and maintained in the state institution and said special education services shall meet standards and criteria set by the state board in accordance with the state plan and shall be subject to approval by the state board. State institutions may contract with local school districts for special education services. Prior to the time any state institution enters into a contract with any school district the special education services provided by such school district shall be approved by the state board (K.S.A. 1977 Supp. 72-970).

D. Facilities, Personnel, and Service Needs

Data Collection and Monitoring

School districts report annually the actual numbers of children within each category who are receiving special education and related services. Comparison of these data with prevalence estimates provides one index by which progress toward provision of special education services may be judged. Using known, average pupil/teacher ratios, prevalence estimates can be translated into personnel needs and serve as guides for state and local planning. Implementation of individualized educational program procedures in Fiscal Year 1978 will provide more specific data on the types of special education resources needed for full educational service to all handicapped children. State special education funds will continue to be appropriated on the basis of these needs.

Meaningful needs assessment, however, must be a local endeavor. Research has shown that there is a significant difference from area to area in the prevalence of the various types of exceptionalities. Variables such as the age ranges, geographic distribution, and degrees of exceptionality of a specific population influence the types and numbers of special education programs needed. Therefore, each school district is responsible for conducting an ongoing program which accurately identifies the types and numbers of children requiring special education and defines the resources needed to serve these children. Each district's plan for providing comprehensive special education services is updated annually and filed with the State Department of Education. Beginning in FY 1978, plans will also be filed by each State institution. Through internal review of these plans and site visits, the Department monitors the progress or lack of progress made toward implementation of State and Federal mandates.

Obstacles to Implementation of Full Educational Services

A major obstacle to implementation of full educational services for all handicapped children ages five through twenty-one will be a lack of qualified personnel. As of February 1, 1978, one hundred thirty budgeted professional positions had not been filled. It is anticipated that this manpower shortage will continue for several years. Additionally, a survey conducted in the spring of 1977 indicated the ability of regular teachers to work with handicapped pupils to be a major concern of school administrators, special education personnel and regular teachers themselves. The area service centers described in the Personnel Development Section of this Annual Program Plan are designed to help alleviate these problems. Institutions of higher education also are working cooperatively to develop strategies to meet the need.

IV

Policy on Priorities

A. Policy Statement

In the State of Kansas first priority for the use of funds received under Part B of the Education of All Handicapped Children Act shall be given to providing appropriate educational services to handicapped children of school age (5-21) who are not receiving an education. Second priority shall be given equally to handicapped children of preschool age (0-4) who are not receiving an education and to the most severely handicapped children within each disability area who are receiving an inadequate education. Programs for the identification of first and second priority children shall be included. Eighty percent of the State's share of the P.L. 94-142 formula grant will be used to support local projects in the priority areas.

B. Implementing and Monitoring Procedures: LEA Applications

During Fiscal Year 1977, the Kansas State Department of Education conducted an extensive statewide child identification project. Only 174 unserved handicapped children of school age have been reported. Educational services have been made available to all of these children. Additionally, preschool handicapped children are being located and made known to their district of residence in order that services may be planned. Although currently no first priority children are known, provision will be made to assure that, if any unserved school-age child is located, special educational services will be made available. The following procedures shall be implemented to ensure that no first priority child remains unserved and that all remaining Part B funds are expended on second priority children.

1. Statewide child identification activities shall be conducted as described in Section V of this Annual Program Plan. These activities are designed to call to the attention of the State Department of Education any handicapped child currently receiving no educational services.
2. In order to be eligible for its local education agency entitlement under P.L. 94-142, each school district or cooperative must:
   (a) Make application to the State Department of Education as set forth in Section 614(a) of the Act; and
   (b) Provide satisfactory assurance that:
      (1) There are no known handicapped children (ages 5-21) residing within the district who do not have the availability of free, public educational services;
      (2) Should a resident school-age handicapped child be identified within the district, free, public educational services will be made available to that child;
      (3) Any Part B funds allocated to the district shall be used to provide appropriate services (as designated in each child's individualized educational program) to the most severely handicapped children within each disability area not currently receiving such services or to unserved handicapped preschool children.

3. The entitlement of any district unable or unwilling to meet the above criteria shall be held by the State Department of Education in a contingency fund. Any local district entitlements held in this fund shall be applied toward the cost of services for any unserved school-age handicapped child who becomes known within that district.

4. The following reports are required annually and are monitored by the State Department of Education through internal review and site visits.

   (a) Local comprehensive plans from each LEA including the current status of

      (1) Total student population 5-21;

      (2) Placement and number of children receiving services in each category of exceptionality;

      (3) Total number of children identified but not receiving services in each category of exceptionality;

      (4) Total number of direct service programs in each category of exceptionality;

      (5) Total number of support services programs; e.g. school psychology, school social work, physical therapy.

   (b) Personnel lists from each LEA showing professionals and paraprofessionals employed by category and by service delivery model.

   (c) Program approval and compliance report from each LEA.

   (d) Organizational report from each special purpose school wishing to be accredited by the State Board of Education.

C. Procedures and Methods to Determine Appropriate Special Education Services

The *Kansas State Plan for Special Education* requires that an individualized educational program which specifies services to be provided be developed for each child placed in a special education program. Individualized educational programs must be kept on file by each local education agency and State institution. During Fiscal Year 1978, the following procedures were developed and implemented by the State Department of Education to determine whether or not identified exceptional children are receiving adequate and appropriate services.

1. As a part of an annual site visit to each administrative unit (school district, cooperative, special purpose school), staff from the Program Approval and Compliance Section examines a sample of individualized educational programs and interviews parents and school personnel relative to the adequacy and appropriateness of special education services being provided.

2. An annual in-depth study of individualized educational program procedures is conducted in a random sample of administrative units. One variable to be investigated is the match between children's educational needs, as reflected by evaluation data, and special education services provided to meet these needs. The study includes an analysis of student records and structured interviews with parents, children, and education staff.

3. A toll-free WATS line is maintained for parental referral of unserved or underserved children.

4. A close working relationship has been established with the Kansas Advocacy and Protective Services for the Developmentally Disabled. The Special Education Administration Section is routinely notified by this agency of cases involving unserved or underserved children.

D. Programs, Services, and Activities: Discretionary Funds

Discretionary monies administered by the State will be used to support special projects within the following priorities:

1. First priority: unserved school age
   (a) Continuation of statewide child identification including mass media public awareness, maintenance of a toll-free inward WATS, 2.5 full-time staff, interagency screening and evaluation teams.
   (b) Establishment of contingency fund for unserved school age children identified in districts unwilling or unable to provide services for such children.
   (c) Establishment of programs for previously unserved handicapped children.
2. Second priority: most severely handicapped underserved school age and unserved preschool handicapped children.
   (a) Establishment or improvement of special education programs and support services for severely/multiply handicapped school age children.
   (b) Improvement of LEA identification and evaluation procedures including procedures for developing and implementing individualized educational programs.
   (c) Continuation of statewide child identification including mass media public awareness, maintenance of toll-free inward WATS, 2.5 full-time staff, interagency screening and evaluation teams.
   (d) Establishment or improvement of special education programs and support services for preschool handicapped.
   (e) Establishment of in-service programs to train personnel for underserved handicapped children.

Under Section 121a708 Title 45, Code of Federal Regulations, state education agencies are authorized to reallocate all or part of the Part B entitlement of a local education agency which is providing all of its handicapped children a free appropriate public education. Rather than penalize those districts which have made the most progress toward implementation of the full service goal by reallocating funds to districts with inadequate services, the State Department of Education will give priority to special projects in districts with the lowest level of special education services. This policy is established to ensure that all first and second priority children within the state have equal educational opportunities.

E. Tentative Special Projects for Fiscal Year 1979

Continuing Projects

731FY79	Library for the Visually Impaired	USD #259	$ 29,700.00
7614FY79	Severely Multiply Handicapped	INT #605	8,730.00
7615FY79	Learning Resource Center	USD #497	30,265.00
7617FY79	Eval. Team: Media & Child Find	INT #607	100,000.00
7627FY79	Eval. Team: Child Find Worker	USD #253	150,000.00
7629FY79	Programming for SMH	USD #250	17,599.00
7631FY79	Rural Preschool Ex. Child Instruct.	USD #321	37,771.00
7632FY79	Services for SMH	INT #602	10,230.00
7636FY79	Non-Categorical Parent Infant Prog.	USD #512	76,659.00
771FY79	Preschool Handicapped	USD #233	18,005.00
772FY79	Program for SMH	USD #489	20,000.00

773FY79	Child Find	USD #368	35,750.00
778FY79	I.E.P. Program	INT #607	35,914.00
779FY79	Program for SMH	INT #608	18,390.00
7710FY79	Program for SMH	USD #415	59,800.00
7711FY79	Program for SMH	USD #465	26,972.00
7712FY79	Program for Hearing Impaired	USD #373	24,000.00
7714FY79	Program for SMH	USD #443	10,670.00
7715FY79	Identification and Planning	USD #243	41,034.00
781FY79	Program for SMH	USD #262	26,500.00
782FY79	Serving Rural Emot. Disturbed	INT #602	11,966.00
784FY79	East Central KS. Develop. Coop.	USD #491	39,565.00
785FY79	Underserved and Unserved Children	USD #490	23,227.00
786FY79	Orientation and Mobility	USD #443	14,550.00
787FY79	Rural Educ. Prog.—Severely ED.	INT #605	13,410.00
788FY79	Program for SMH	USD #373	26,800.00
789FY79	Program for SMH	USD #234	47,634.00
7910FY79	Area Education Center	USD #305	64,685.00
7811FY79	Program for SMH	USD #223	34,971.00
7813FY79	Program for SMH	USD #253	47,634.00
7814FY79	Area Service Center	USD #443	21,500.00
7815FY79	Early Childhood Education	USD #497	47,740.00
7816FY79	Comprehensive Diagnostic Program	USD #262	44,100.00
			$1,215,771.00

New Projects

Severely Multiply Handicapped	USD #453	$14,200.00
Emotionally Disturbed	INT #610	40,622.00
Speech/Language Impaired	INT #610	30,000.00
Low Incidence Handicapped	USD #427	5,212,00
Program for Visually Impaired	USD #500	32,500.00
In-service Program	USD #501	13,500.00
Program for Hearing Impaired	USD #501	16,428.00
		$152,462.00

V

Child Identification

A. Statement of Child Identification Goal

In 1974 the Legislature of the State of Kansas enacted the Special Education for Exceptional Children Act (K.S.A. 1974 Supp. 72-961 through 72-980 and K.S.A. 1973 Supp. 72-933). The purpose and intent of this Act is to provide for educational opportunities which will contribute to the development of each handicapped and gifted child in Kansas in accordance with his/her abilities and capabilities. In order that appropriate special education programs and services can be planned and provided, systematic procedures to screen, diagnose, and certify all exceptional children shall be implemented.

B. Responsibility for Planning and Implementing Child Identification Procedures

The Kansas State Board of Education has primary responsibility for the planning of child identification procedures through a legal mandate to prepare, in consultation with the State Advisory Council for Special Education, a state plan for special education which includes *criteria for screening, diagnosis, and certification of exceptional children* (K.S.A. 72-963). Pursuant to this charge, rules, regulations, and standards have been formulated which require each school district to systematically screen and evaluate all exceptional children. From such information the schools shall plan an educational program to meet each child's needs. Special education services (including screening and evaluation) which meet standards and criteria set by the State Board shall also be provided to all exceptional children housed and maintained in a State institution (K.S.A. 1977 Supp. 72-970). The State Department of Education conducts an annual survey showing the total number of exceptional children identified within the State.

Of course, many other State and local, public and private agencies and organizations are involved in the total State program of identification and service. During Fiscal Year 1976, an interagency Child Identification Committee was established to assist the State Department of Education in planning and implementing a coordinated and ongoing effort to identify all out-of-school handicapped children, ages 0 through 21, in the state. Agencies represented on this committee include the State Department of Health and Environment, the State Department of Social and Rehabilitation Services, the Kansas Association of Head Start Directors, Kansas Directors of Community Mental Health Centers, and United Cerebral Palsy of Kansas. The committee is chaired by the State Department of Education Child Identification Coordinator. Committee members are responsible for informing and securing the involvement of local program personnel identified with their respective agencies in state-wide child identification project. Fifty-one parent/special interest groups have appointed members to maintain liaison with the project. The Child Identification coordinator provides these parent/special interest group representatives with written information about project activities.

C. Progress Toward Fiscal Year 1978 Child Identification Objectives

Fiscal Year 1978 Objective	Results of Fiscal Year 1978 Activities
(1) By August 1, 1977, each LEA's Fiscal Year 1978 plan for providing special education services, including screening and identification	(1) By September 1, 1977, each LEA received a copy of the Program Approval and Compliance Form used by SEA staff to review its Fiscal

procedures, will be reviewed by the SEA. Those districts whose plans are deemed inadequate will receive written notice of the deficiencies. The implementation of local plans will be monitored through site visits by SEA staff during Fiscal Year 1978.	*Year 1978 Local Comprehensive Plan for Special Education.* A revision of screening and identification procedures has been filed for seventeen districts found deficient in this area. By April 1, 1978, forty-five (45) of the sixty-five (65) administrative units filing plans had been visited on site by Approval and Compliance staff.
(2) By September 15, 1977, the sites for no less than twenty (20) Interagency Screening and Evaluation Clinics for preschool children will be selected, and local staff to assist in the screening will be identified.	(2) By August 15, 1977, sites for twenty-two (22) clinics had been selected. A schedule was arranged to cluster the clinics regionally in order to facilitate the scheduling of follow-up otolaryngological services provided by the Department of Health and Environment.
(3) By October 15, 1977, local staff selected to participate in the Screening and Evaluation and Evaluation Clinics will be trained by the SEA. Training will include orientation to child identification project objectives, the multi-disciplinary team approach, coordination with other agencies, public school responsibilities, private agency roles, and parental rights. The SEA will maintain a record of attendance and commitment of participation.	(3) Because of the time span between the first and last clinic, it was decided to hold an orientation and training session for each local team immediately before each clinic. By July 1, 1978, over two hundred (200) interagency professionals serving on twenty (20) clinic teams had participated in these training sessions.
(4) By November 1, 1977, the SEA (with the assistance of the Interagency Child Identification Committee) will disseminate information about Count Your Kid In to all local public health agencies, social services area offices, developmental/rehabilitation centers, and local school districts. Dissemination shall be accomplished through presentations and written materials. The purpose of this effort will be to explain the objectives of the project and to solicit assistance in obtaining parental participation. A log of dissemination activities shall be maintained by the SEA.	(4) By September 1, 1977, all district public health nurses, social services area offices, and developmental/rehabilitation centers had been notified of the project. Local school districts in target areas also were notified.
(5) By November 1, 1977, a mass media public awareness campaign shall be initiated. The purpose of the campaign shall be to:	(5) Plans for the media campaign were altered to assure saturation of target sites with information about the clinics. Three (3) weeks prior to

(a) alert the public to early warning signs of delayed/abnormal development in children,
(b) encourage parents to refer to the project children known to be handicapped, but not receiving public education services,
(c) encourage parents to bring high risk children to Regional Screening and Evaluation Clinics,
(d) provide information on the educational needs of handicapped children, and
(e) provide information on the educational rights of handicapped children.

A record of the number and types of media presentations shall be maintained by the SEA.

each clinic, radio, television, and press releases were disseminated within a fifty (50) mile radius of the site. A second set of releases were released one week prior to each clinic.

A statewide campaign to provide information on early identification of young handicapped children was initiated through television and radio spots and print materials on January 1, 1978.

(6) By May 15, 1978, each school district shall report to the SEA the number of children receiving special education and the number of children identified by the district as needing, but not receiving special education. The SEA shall tabulate these data for reporting to the U.S. Commission of Education.

(6) End of year reports show that 73,335 children received special education and related services in Kansas Public Schools in Fiscal Year 1978. The districts reported 1,364 children identified as needing but not receiving special education. Note: These data are questionable and will be investigated.

(7) By August 31, 1978, no less than twenty (20) Screening and Evaluation Clinics for preschool children will have been conducted. The SEA will maintain a record of the number of children screened, the number of children identified as handicapped, and the types of services provided to these handicapped children. The SEA shall tabulate these data for reporting to the U.S. Commissioner of Education.

(7) Twenty (20) Screening and Evaluation Clinics were conducted during Fiscal Year 1978. Of the 569 children attending the clinics, 439 were diagnosed as handicapped and referred to community based or public school programs. Follow-up forms were received from 162 of these agencies indicating that services were being provided to 182 referred children. See Final Report.

(8) By September 30, 1978, a state plan for providing educational services to preschool handicapped will be developed.

(8) By October 1977 a revised *Kansas State Plan for Special Education*, which includes a section on preschool, was adopted by the State Board of Education.

D. CHILD IDENTIFICATION ACTIVITIES FISCAL YEAR 1979

As described above, primary responsibility for the location, identification, and evaluation of school age exceptional children lies with school districts and State institutions. The Fiscal Year 1977 State Child Identification Project, Count Your Kid In, was designed to locate any exceptional children of school age who were unknown to or denied educational services by LEA's. The project also located and made known to LEA's exceptional preschool children, including those who would attain school age

during Fiscal Year 1978. Upon the premise that few, if any, exceptional children of school age remain unknown and without the availability of appropriate special education services, Count Your Kid In, in Fiscal Year 1978 and subsequent years, shall concentrate upon (1) the location and identification of handicapped preschool children and (2) increasing public awareness of handicapping conditions and the educational rights of handicapped children. This focus shall not preclude continuing efforts to locate previously unknown school age handicapped children.

The interagency Child Identification Committee shall continue to provide direction for the project. A major objective of the project shall be to promote and increase interagency cooperation at the local level in identifying and serving exceptional children.

A brief description of Fiscal Year 1979 State Child Identification activities is included to clarify the following timeline of objectives. In order to supplement LEA efforts, the SEA shall organize regional interagency teams to conduct preschool screening and evaluation within established geographic areas. The SEA shall provide:

1. Child Identification Coordinator responsible for
   (a) General supervision of the project, and
   (b) Maintaining liaison among participating State agencies.
2. Early Childhood Specialist responsible for
   (a) Speech and language evaluation,
   (b) Developmental evaluation, and
   (c) Placement/referral recommendations.
3. Service Coordinator responsible for
   (a) Organizing and scheduling regional screening and evaluation teams,
   (b) Processing referrals made by regional teams, including data collection and follow-up, and
   (c) Obtaining parental consent and routing referral information to LEA's and other appropriate service agencies.
4. Contracted media services responsible for a mass media public awareness campaign.
5. Contracted evaluation services as needed, e.g. psychological or medical.
6. Maintenance of a toll-free WATS and Post Office box.

Participation by the State Department of Health and Environment will include:

1. Public health nurses responsible for
   (a) Physical assessments,
   (b) Vision screening,
   (c) Medical referrals and follow-up.
2. Hearing conservationists responsible for
   (a) Hearing screening and
   (b) Medical/audiological referrals and follow-up.
3. Coordination of services provided through the Kansas Crippled Children's Program for handicapped children.

Participation by the State Department of Social and Rehabilitation Services will include area staff as needed.

The Developmental Disabilities Council will provide staff and facilities for regional screening clinics as needed.

Local Education Agencies will provide support staff (e.g. speech clinicians, school psychologists, curriculum specialists) as needed.

The Child Identification Coordinator, Early Childhood Specialist, and Service Coordinator will comprise a core team for no less than twenty Screening and Evaluation Clinics to be conducted across the state. Local health, education, and social services personnel will be used to fill out the team at the various sites. Children identified as handicapped will be referred to appropriate service programs as well as to their school district of residence. Diagnostic services will be provided for any child requiring a more extensive evaluation than can be provided by a project team.

E. Child Identification Objectives Timeline Fiscal Year 1979

1. By July 1, 1978, the sites for no less than twenty Interagency Screening and Evaluation Clinics for preschool children will be selected and local staff to assist in the screening will be identified.
2. By August 1, 1978, each LEA's Fiscal Year 1979 plan for providing special education services, including screening and identification procedures, will be reviewed by the SEA. Those districts whose plans are deemed inadequate will receive written notice of the deficiencies. The implementation of local plans will be monitored through site visits by SEA staff during Fiscal Year 1979.
3. Prior to each Screening and Evaluation Clinic, local staff selected to participate will be trained by the SEA. Training will include orientation to child identification project objectives, the multi-disciplinary team approach, coordination with other agencies, public school responsibilities, private agency roles, and parental rights. The SEA will maintain a record of attendance and commitment of participation.
4. By September 1, 1978, the SEA (with the assistance of the Interagency Child Identification Committee) will disseminate information about Count Your Kid In to all local public health agencies, social services area offices, developmental/rehabilitation centers, and local school districts. Dissemination shall be accomplished through presentations and written materials. The purpose of this effort will be to explain the objectives of the project and to solicit assistance in obtaining parental participation. A log of dissemination activities shall be maintained by the SEA.
5. By September 1, 1978, a mass media public awareness campaign shall be initiated. The purpose of the campaign shall be to
   (a) Alert the public to early warning signs of delayed/abnormal development in children.
   (b) Encourage parents to refer to the project children known to be handicapped, but not receiving public education services.
   (c) Encourage parents to bring high risk children to Regional Screening and Evaluation Clinics.
   (d) Provide information on the educational needs of handicapped children.
   (e) Provide information on the educational rights of handicapped children.

   A record of the number and types of media presentations shall be maintained by the SEA.

6. By May 15, 1979, each school district shall report to the SEA the number of children receiving special education and the number of children identified by the district as needing, but not receiving special education. The SEA shall tabulate these data for reporting to the U.S. Commissioner of Education.

7. By August 31, 1979, no less than twenty Screening and Evaluation Clinics for preschool children will have been conducted. The SEA will maintain a record of the number of children screened, the number of children identified as handicapped, and the types of services provided to these handicapped children. The SEA shall tabulate these data for reporting to the U.S. Commissioner of Education.

F. Procedures and Methods to Determine Served and Unserved Population

The following procedures will be utilized to identify served and unserved handicapped children and to determine those handicapped pupils who are receiving an appropriate education.

In April of 1976, Kansas Administrative Regulations, [Article 12] were adopted which require that *each district shall initiate screening and identification procedures to determine which children within the district are in need of special education services.* The regulations further stipulate that each district *shall maintain information activities which alert the public to the needs of exceptional children, their educational rights, and the availability of special education services.* The procedures employed by each district are described in an updated or revised local comprehensive plan for providing special education services which must be submitted annually to the SEA.

Local comprehensive plans also include a report of the current status of local special education services including:

1. Total student population 5-21.
2. Placement and number of children receiving services by category, age group, and service delivery model.
3. Total number of children identified by not receiving services by category and age group.
4. Total number of direct service programs by category.
5. Total number of support service programs; e.g. school psychology, school social work, physical therapy.
6. Timeline for implementing additional services to meet the full service mandate.
7. Total number of preschool handicapped children receiving services by category and age group.

These plans are monitored by the SEA through internal review and site visits.

To assure the identification of preschool handicapped and those handicapped school age children not located by the LEA's, the SEA in cooperation with other State agencies will continue its intensive child-find effort in Fiscal Year 1979. All referrals will be directed to the child's district of residence. Concurrently work will continue on the development of a cross agency referral system which will ensure that in subsequent years appropriate services are provided to all children located by any of the participating agencies.

G. Procedures for Monitoring Child Identification Activities

1. As noted above, LEA screening and identification procedures, as stated in each districts' local comprehensive plan, are monitored by the SEA through internal review and site visits.
2. A registry of all children identified through Count Your Kid In is maintained by the SEA. These data include follow-up information on needed services provided or not provided.

VI

Comprehensive System Of Personnel Development

A. Procedures for Implementation

1. Participants in Planning

Since Fiscal Year 1975, the State Department of Education has been actively involved in a project designed to maximize the utilization of Kansas resources for preparing instructional and support personnel to serve handicapped children. The following history of Comprehensive Personnel Planning for the Handicapped (CPPH) is included to indicate the broad participation in the development of the personnel development system proposed in this Annual Program Plan.

Comprehensive Personnel Planning for the Handicapped in Kansas was formally initiated in October of 1973, when a consortium of Regent's colleges and universities was formed to draft a proposal to focus on the improvement of educational programming for exceptional children in regular school delivery systems. By July, 1974, preliminary reports of resources and needs had been presented by participants from Kansas colleges and universities, the State Department of Education, and other interested professional groups. An ad hoc committee was appointed to design a planning structure to be approved by the entire group. In September, 1974, the ad hoc committee presented a planning structure that included a steering committee and five task forces; needs assessment, certification, resources, delivery models, staff development. The proposal was approved by the group, and the ad hoc committee was elected to the steering committee. It was at this time that the project became known as CPPH: Kansas, or Comprehensive Personnel Planning for the Handicapped in Kansas. That fall, the Bureau of Education for the Handicapped announced that CPPH had received the first year of its three-year funding.

The steering committee worked out guidelines for task force membership that would encourage wide participation across areas of expertise. They also established task forces' initial responsibilities and added a sixth task force, legislation.

In January, 1975, the steering committee appointed task force members from the many volunteers and nominations submitted to them from universities, professional organizations, school districts, etc. Emphasis was placed on including persons of different backgrounds, geographic areas, and across areas of exceptionality. Approximately sixty persons were selected, representing Kansas universities, the State Department, and eighteen professional agencies, including local directors of Special Education.

The first general meeting was held in February, 1975. The steering committee presented an introduction about CPPH to the task forces. Chairpersons for each task force were elected, and each task force examined its charges and decided on a preliminary course of action for the coming year.

From February to September, 1975, twelve task force meetings took place at six different sites around Kansas. More than 600 man-hours were involved, and participants came from widely separated geographic areas. From September, 1975, to July 1, 1976, all task forces continued to meet, separately and in groups, to initiate research and prepare preliminary reports.

To facilitate communication among task force members and to inform interested individuals and agencies about CPPH activities, a newsletter was established early in 1975. The *CPPH Newsletter* started with a circulation of 1,000. The newsletter continues to serve as a vehicle for in-depth coverage of CPPH activities as well as serving as a disseminator of information about regional events

and news relative to personnel planning for the handicapped. Many schools and organizations nationwide have asked to receive the *CPPH Newsletter*.

In May, 1975, the steering committee met with task force chairpersons to review the progress of task forces and to modify the planning structure for task force organization. A second general session took place in September, 1975. The first day involved finalization of task force modifications by the steering committee and chairpersons, and the second day involved presenting changes to task forces and setting the new plans in motion.

Task forces continued to meet throughout the spring of 1976. Recommendations were edited, revisions made, and input solicited from colleagues. A third general session was held in May, 1976, to accept task force reports and to review recommendations. A writing conference was held in June, 1976, to redefine recommendations, and the conference's efforts were officially approved by the CPPH constituency body at the fourth general session in July, 1976.

In addition to task force activities, during the fall of 1975 and the spring of 1976, 13 regional program development workshop sessions were held. The fall sessions were aimed at staff development for regular class teachers, and the spring workshops were aimed at building principals. More than 400 school personnel participated, and their ideas and input have also been included in the recommendations. CPPH staff organized and ran the workshops with the cooperation of local Kansas school districts.

During Fiscal Year 1977, four conferences were held in order that decision makers representing institutions of higher education, state government, state agencies, community services, public schools and special interest groups might review the preliminary recommendations drafted by CPPH. One of these conferences focused specifically on in-service needs. The CPPH recommendations, as revised in the spring of 1977 are the basis of Kansas plan for assuring the provision of personnel adequately and appropriately trained to educate all exceptional children in the state. The plan was developed in cooperation with the CPPH steering committee and was presented to CPPH members for further input in April and October, 1977.

2. **Determination of Number and Type of New Personnel Needed**

Before the beginning of each school year, each school district must report to the SEA the number of budgeted special education positions, both professional and paraprofessional, by category and service delivery model. This personnel report, which is used to determine state reimbursement, shows the number of filled and vacant positions. It is updated at least quarterly during the school year. This report, in combination with a required projection of additional special education and support services needed to achieve full service, indicates critical manpower needs.

A study of the attrition rate of special education personnel currently is being conducted by the University of Kansas. In subsequent years, new SEA data collection procedures will allow the compilation of attrition rates. At the present time, however, the number of professionals in the various categories that must be trained to compensate for attrition is not known.

For Fiscal Year 1978, 2,845 professional positions were budgeted by school districts. Of this number, 188 professional positions were not filled as of September 15, 1977. Projections of school districts indicate that approximately 1,100 additional professional positions will be needed to achieve full service. There are 1,179 paraprofessional positions filled with an estimated 50 additional positions needed to achieve full service. The Department of Social and Rehabilitation Services estimates that thirty-five additional instructional staff will be needed to achieve full service in the state institutions.

The shortage of trained personnel is most critical in the areas of learning disabilities, emotionally disturbed, visually impaired, hearing impaired, severely/multiply handicapped, and secondary level mental retardation. Geographically, the shortage of trained personnel is more severe in the western half of the state.

Annually, SEA data on new personnel needs are made available to institutions of higher education within the state for their planning. The data are also used by the SEA in planning its traineeship program under Title VI-D. Application was made for VI-D funding in Fiscal Year 1979 to support 120 summer traineeships in the priority areas.

The CPPH recommendation *that a network of Area Service Centers be created in geographic sections throughout Kansas* was implemented on a pilot basis in Fiscal Year 1978. One center was established in the central part of the state. The project is designed to provide organization and supervision of field training for preservice programs in geographic areas with severe personnel shortage problems. A combination of local, State, and Part B monies was used to fund the project. An inkind contribution was made by institutions of higher education. A second center was approved in the western part of the state. Officials were unable to fill the staff positions but have conducted needs assessment activities and continue recruitment efforts.

3. **Determination of In-Service Training Needs**

It is the philosophy of the State Department of Education that in-service for LEA personnel will be meaningful only if based on specific local needs. Primary responsibility for identifying these needs and providing appropriate training activities lies with each school district. The role of the SEA is to support and enhance local efforts. Responsibilities of the SEA include:

Statewide orientation to significant issues, e.g. implications of new legislation, rules, and regulations;

Statewide or regional training to meet generalized local concerns; and

Technical assistance to individual LEA's in meeting specific training needs.

To a great extent the needs for SEA in-service training activities during Fiscal Year 1979 were determined by State and Federal legislation and rules and regulations. The special study institute training objectives and activities proposed in the Fiscal Year 1979 Kansas VI-D application were based on careful consideration of major legal forces and issues, the concerns expressed by local education agencies, major deficiencies shown on reporting forms submitted to the SEA, and problem areas identified on-site visits by SEA staff. Formal surveys were done with regular education teachers and administrators, special education teachers and administrators, and parents both in the spring and fall of 1977. An in-depth analysis of individual education plans was conducted in the spring of 1978 as a further method of identifying training needs.

The following chart shows the number and types of persons to receive in-service training on a statewide basis through a combination of State and VI-D funds. The training will be provided by appropriate university, SEA, and LEA personnel during Fiscal Year 1979. Participants at each special study institute shall complete both formal and informal evaluation instruments. These evaluations shall provide data to determine the effectiveness of each institute, as well as information for planning future in-service activities. The following timeline specifies target populations and staff training sources.

IN-SERVICE COMPLETION DATE	IN-SERVICE CONTENT	TARGET POPULATION	TRAINING SOURCES
June - July 1978	Kansas Plan	LEA project staff	SEA VI-D
June 1978 - January 1979	Designing a Comprehensive Staff Development Plan	80 LEA administrators	SEA VI-D
August 1978 - May 1979	Maintaining the Handicapped Student in General Educational Settings	300 general educator facilitators	SEA VI-D
September 1978	Kansas Plan	LEA administrative staff LEA instructional staff LEA support staff	SEA VI-D
September 1978 November 1978 February 1979 April 1979	Role and Responsibility of the Special Education Paraprofessional	40 paraprofessional facilitators	SEA VI-D
October 1978	Severely Multiply Handicapped	50 superintendents	SEA VI-D
November 1978 - March 1979	Parental Involvement in the IEP Process	150 parents	SEA Midwest Regional Resource Center (M.R.R.C.)
December 1978	Role and Responsibility of the Special Education Due Process Hearing Officer	75 identified hearing officers	SEA VI-D
December 1978	Descrepancy Evaluation	5 LEA administrators	SEA VI-D
December 1978	Adaptive Physical Education	20 LEA facilitators	SEA VI-D
January 1979	Severely Multiply Handicapped	20 ancillary staff	SEA VI-D
February 1979	Severely Multiply Handicapped	30 teachers of physically handicapped	SEA VI-D
February 1979	Severely Multiply Handicapped	20 deaf-blind teachers 10 autistic teachers 10 severely learning disabled teachers	SEA VI-D
March 1979	Severely Multiply Handicapped	30 special education administrators	SEA VI-D
March 1979	Adaptive Physical Education	20 trained LEA facilitators	SEA VI-D
March 1979	Monitoring the IEP Process	50 general education administrators	SEA M.R.R.C.
March 1979	Program Evaluation	30 LEA staff	SEA VI-D
April 1979	The IEP Process and Vocational Education	50 teacher trainers	SEA M.R.R.C.
May 1979	Early Childhood	20 multi-agency personnel	SEA VI-B, VI-D
May 1979	Non-discriminatory Assessment	80 LEA diagnostic staff	SEA VI-B, VI-D
May 1979	Severely Multiply Handicapped	60 teachers 20 direct service personnel	SEA VI-D

May 1979	Severely Multiply Handicapped	60 institution staff	SEA VI-D
June 1979	Evaluation Training	100 special education project staff	SEA VI-B
June 1979	Special Vocational Needs	25 LEA teams of 1 vocational educator and 1 special educator	SEA VI-D

B. Comprehensive Personnel Development Plan

The extensive CPPH effort clearly identifies lack of coordination as a major problem in the delivery of personnel training. It was recommended that an educational personnel planning unit be established to assume responsibility for state-level coordination of personnel preparation in Kansas colleges and universities. It was also recommended that consideration be given to developing vehicles for coordinated in-service efforts on a regional basis to maximizing utilization of in-service training resources providing field training programs of preservice. While it is not within the authority of the State Department of Education to create a State personnel planning unit, the SEA will continue to work with CPPH in implementing this recommendation. Additionally, the SEA designated a staff position for the role of personnel development specialist to assist in the coordination of programs which are designed to increase coordinated, targeted in-service/preservice training activities.

1. Area Service Centers

The area service center, which is similar to the teacher center concept, was established to provide programs consistent with locally identified needs through cooperative involvement with IHE's and the SEA in planning, implementation, and evaluation.

The area service center also is designed to address the problem of insufficient numbers of certified special education personnel which is particularly acute in rural areas of the State, and in those areas distant from any IHE campus. Colleges and universities in Kansas are at the same time responding to the need for off campus coursework. The area service center is designed to provide a base for such instruction and a mechanism for coordination.

In Fiscal Year 1978 one area service center was established in existing LEA facilities for the following purposes:

(a) To provide a base for the offering of coursework and practicum experiences by colleges and universities,

(b) To increase the availability of training resources locally,

(c) To act as a clearinghouse and coordinate IHE offerings based on local needs assessment data, and

(d) To provide a mechanism through which LEA's may obtain assistance in meeting their in-service and preservice personnel training needs.

The activities of the center evolved in response to the unique needs of the service area and the available resources. In Fiscal Year 1978 the major activities of the center included:

(a) Advisory committee

(1) LEA advisory committees were established in 10 of the 12 districts in the service area.

(2) One representative from each of the LEA committees serves on the center advisory committee with IHE and SEA representation.

(b) Needs assessment

(1) On-going consultation with district advisory committees, and

(2) Survey instruments administered to 950 teachers (return of 790 or 84 percent) and 60 administrators (return of 45 or 75 percent).

(c) Offering of selected courses required for certification

(1) First and second practicum in Learning Disabilities,

(2) Informal Diagnosis and Prescriptive Programming,

(d) Formulation and implementation of a plan for development of local cadres,

(e) Increase the availability of local training resources through the continued development of a human resource file (done with the assistance of the KEDDS unit which is described in the following section),

(f) Dissemination of staff development materials within the local service area, and

(g) Dissemination of Information Diagnosis and Prescriptive Programming training to local regular educators within the service area and to the other area service center.

C. Procedures for Acquiring, Reviewing, and Disseminating Research and Demonstration

1. The Kansas Educational Dissemination/Diffusion System (KEDDS) located within the Kansas State Department of Education, was established in 1972 to make information about new educational research and development available to local schools. The SEA shall make the resource information services of KEDDS available to any agency or organization with established relationships to the education of handicapped children. The KEDDS is organized around three elements: (a) Resource Component, (b) Clients (users), and (c) Linking Component.

(a) Resource Component.

The resource component is located within the Kansas State Department of Education as part of the Division of Education Services within the Section of Educational Improvements and Development. The goal of the resource system is to collect in a central place the information and knowledge available concerning research, consultant help, successful practices, validated programs, and other information that users need in assisting them in making decisions regarding improvement of learning. Some of the help now available from the resource system are:

(1) ERIC, Dialog, and other information bases containing the latest educational research and knowledge.

(2) File of Kansas Promising Practices.

(3) Material and program abstracts from the nationally validated projects in the National Diffusion Network.

(4) Nine regional centers to make service available to local users.

(5) Under development is a consultant file of local people available to assist local schools. (KSDE staff, university staff, and others who have the ability to help local schools with specific problems.)

(b) Clients.

Clients are defined as any educational organization that requests help in solving or working on a problem which has been identified as important. This could mean that some organizations would be both clients and part of the resource pool, depending on the situation. KSDE or universities and colleges are good examples of this.

(c) Linking Component.

The linking component is composed of a staff of six professional facilitators plus support staff. The linkage component staff is housed in Wichita. These facilitators serve as helpers to local school districts in developing a process in their school that will assist them in implementing new educational programs and in helping LEA's find the resources necessary to make them successful at change. Some of the activities carried out by the facilitator are:

(1) Problem clarification,

(2) Organization consulting,

(3) Decision making workshops (Communication skills, change agent training, team decision making, conflict resolution use of information systems),

(4) Assistance in training,

(5) Assistance in finding resources,

(6) Assistance in planning for change,

(7) Assistance in developing community support, and

(8) Assistance in whatever seems appropriate for LEA successful implementation

(d) Management of KEDDS.

KEDDS is basically a function of the Kansas State Department of Education. The Director of the Section of Educational Improvements and Development serves as chairman of the KEDDS Council. This person assumes over-all responsibility and answers to the Assistant Commissioner for Education Services for the Activities of KEDDS. The Director of the KEDDS Resource System serves as a member of the KEDDS Council. The Director of the Linking System serves as a member of the KEDDS Council. Together these three persons make decisions regarding management of KEDDS.

2. **Annual Special Education Publishers Conference**

The Kansas State Department of Education, in cooperation with the Missouri State Department of Education shall sponsor the Fourth Annual Special Education Publishers Conference in October, 1978. The purpose of the annual conference is to acquaint educators with the latest instructional training and reference materials and to train them in the proper utilization of these materials. Authors/consultants/editors from commercial publishing companies will be invited to give presentations on the use of newly marketed materials. A booklet containing analyses of all materials presented will be furnished to all participants. The target audience for this conference shall be coordinators of Special Education Instructional Materials Centers, local directors of special education, and supervisory personnel.

3. **Dissemination of Information on In-service Activities of Other Agencies**

Currently most school districts are conducting in-service training for personnel working with handicapped children. Institutions of higher education, the three Kansas University Affiliated Facility series, Department of Health and Environment, Department of Social and Rehabilitation Services, and other agencies providing services to handicapped children also are engaged in training activities and conferences. Each agency, however, targets the dissemination of information only to its own clientel, so that the topic and/or speaker/trainer of interest to a large number of persons, may not be widely advertised. The SEA shall undertake the following responsibilities in order that local schools may be aware of in-service opportunities:

(a) Identification of agencies conducting/sponsoring worthwhile training functions which are open to personnel from other agencies.

(b) Establishment of lines of communication with such agencies and systematic collection of information about in-service/conference activities.

(c) Dissemination of such information through the SEA newsletter and the public media when feasible.

VII

Individualized Education Program

Introductory Statement

In order that appropriate special education and related services may be implemented, local school districts are charged with *screening, diagnosis, and certification of exceptional children including physical, educational, and psychological examinations* (K.S A. 72-963). Whenever screening or referral procedures indicate that a child may need special education programming, a comprehensive, multidisciplinary evaluation of the child must be made by qualified personnel. The *Kansas State Plan for Special Education* requires that, *After completion of the comprehensive evaluation, one or more staffing conferences shall be held to develop an educational plan for the child.* The individual educational plan is defined as *A written statement developed annually for each exceptional child which describes his unique educational needs and how these will be met. The Plan is developed in a conference(s) in which the parents or guardians and whenever appropriate the child, has an opportunity to participate.* The individual educational plan must be developed before special education and related services are provided to the child.

A comprehensive evaluation is required before any child may be recommended for special education services. This evaluation must be multi-disciplinary, including input from appropriate qualified professionals (e.g. school psychologist, school social worker, regular and/or special education teacher, school nurse, speech clinician, counselor, administrative staff, physician, psychiatrist) as well as the parents and the child when feasible. Eligibility for special education is determined in a staffing conference attended by those persons who participated in the evaluation. The individual educational program may be developed at this staffing conference if appropriate steps have been taken to ensure that parents are afforded the opportunity to participate. If it is not feasible to develop the individualized educational program in the staffing conference, a second meeting must be held with the participants required by Section 602 (a) (19), Education of All Handicapped Children Act.

A. Procedures for Implementing the Individualized Education Program

Guidelines for developing and implementing individualized educational programs are set forth in the *Kansas State Plan for Special Education* as follows:

1. Determination of Eligibility for Special Education

After completion of the comprehensive evaluation, one or more staffing (placement committee) conferences shall be held to determine the child's eligibility for special education programming. The staffing shall include those persons who participated in the evaluation. In addition, any persons who are directly or indirectly involved in or influence the child's educational success shall have the opportunity for input to the staffing. The opinions and concerns of the child's parents shall be presented (either personally or by a school staff member) as a significant part of the available information. Whenever possible, parents should participate in the staffing conference. If it is determined that the child is in need of special education, an individualized educational program shall be developed as specified in this State Plan.

Efficient staffing conferences require team effort. It is, therefore, recommended that the position of chairperson of the placement committee be rotated. The chairperson shall be responsible to the administrator of special education. He/

she shall convene the staffing conferences and coordinate the development, implementation, and evaluation of the individualized educational program for the child.

The written recommendations of the staffing (placement) committee shall be kept on file and shall be available to education personnel as needed.

All official records shall be available for inspection by the child's parents or guardians upon their request. The school psychologist responsible for the coordination of the comprehensive evaluation, or his designee, shall provide assistance to the parents to interpret test results or other information contained in the record. If there are reports in the record which need interpretation by a specialist (i.e., audiologist, etc.), the coordinator shall be responsible for acquiring the clarifying information.

Confidentiality of the child's records shall be maintained and no personally identifiable information shall be released without written consent of the parents except to those persons or agencies authorized in P.L. 93-380 (Amended), Privacy Rights of Parents and Students.

2. **Individualized Educational Program**

(a) Participants in Development

The individualized educational program is a written statement developed in a meeting of education personnel, the parents and the child, where appropriate. The individualized educational program may be formulated as a part of the staffing conference if appropriate steps have been taken to insure that parents are afforded the opportunity to participate. If it is not feasible to develop the individualized educational program in the staffing conference, a second meeting shall be held with

(1) A representative of the district or state institution, other than the child's teacher(s), who

(a) is qualified to provide, or supervise the provision of special education, and

(b) participated in the staffing conference and is qualified to interpret the written findings of the comprehensive evaluation to the parents.

(2) The child's teacher(s), special or regular, who have direct responsibility for implementing the child's individualized educational program.

(3) One or both of the child's parents and, where appropriate, the child.

(4) Other individuals at the discretion of the parents or the school.

Parents must be given the opportunity to participate in developing the individualized educational program. A reasonable attempt shall be made to schedule the meeting at a mutually agreed on time and place. Provision for interpreters or other facilitators must be made for parents who are deaf or whose native language is other than English.

If neither parent can attend, individual or conference telephone calls may be used to obtain parental participation. If the school is unable to obtain parental participation, the individualized educational program meeting may be conducted without a parent. In such cases, the school must document its attempts to arrange the meeting, including records of telephone calls made or attempted, copies of correspondence, and records of home visits.

(b) Content of the Individualized Educational Program

The individualized educational program is a written statement which includes documentation of decisions about the objectives, content, implementation and evaluation of special education services for the child. While developed jointly, it is not a binding contract between educators, parents and children. The school is responsible for providing the services delineated in the individualized educational program, but is not legally bound if the child does not achieve its growth projected in the annual goals. The individualized educational program shall include:

(1) A statement of the child's present level of educational performance, including academic achievement, social adaptation, prevocational and vocational skills, sensory and motor skills and self help skills, speech and language skills.

(2) A statement of the specific special education and related services, as well as any special instructional media, needed by the child.

If the child cannot participate in and benefit from the regular physical education program, provision must be made for adapted physical education services. All the special education and related services needed to meet the child's unique needs shall be specified without regard to the availability of those services.

(3) Justification for the type of educational placement and a description of the extent to which the child will participate in regular education.

(4) The projected date for the initiation of the prescribed services and the anticipated duration of the services.

(5) A statement of annual goals which describe the educational performance anticipated by the end of the school year.

(6) A statement of short-term (9 to 12 weeks) objectives which are measurable intermediate steps between the present level of performance and the annual goals.

(7) Objective criteria and evaluation procedures for determining, at least every 12 weeks, whether the short-term objectives are being achieved.

(8) A listing of the names and positions of the individuals responsible for implementation of the individualized educational program.

(c) Timelines

(1) The individualized educational program for an exceptional child who is receiving special education shall be developed/revised annually no sooner than thirty days before the end of the school year and no later than thirty days after the beginning of the next school year.

(2) For an exceptional child who is not receiving special education, the individualized educational program shall be

(a) developed no later than thirty days from the date when it is determined that the child requires special education.

(b) reviewed and revised no sooner than thirty days before the end of the school year and no later than thirty days after the beginning of the next school year.

(3) Placement In Another Agency

Each LEA or State institution which refers or places (through a contractual agreement) a child in another accredited special education

program shall arrange for a representative of the receiving agency to participate in the IEP conference. If a representative of the receiving agency cannot attend the meeting, the sending agency shall insure participation by the receiving agency through other methods, preferably individual or conference telephone calls.

(4) Placement and Review

(a) Exceptional children shall be educated in a least restrictive alternative program. This statement describes the right of exceptional children to be educated with their normal peers unless clear evidence is available that partial or full removal will provide an improved program for the child. In addition, no placement shall be considered permanent but shall be subject to on-going review.

Placement in the above context, does not necessarily imply removal of the child from the regular school program, but may mean providing for his/her appropriate learning environment through a continuum of special services available in the regular school. For more detailed discussion of the least restrictive alternative and continuum of services see SERVICES CONTINUUM section.

(b) When implementing the level of service recommended in the exceptional child's individualized educational program, the procedures below shall be carefully followed.

(1) The child and his/her parents shall be afforded all due process rights.

(2) When the goals or objectives specified in the child's individualized educational program have been reached, new goals and objectives shall be formulated. The child shall be returned progressively to as near a normal setting as possible.

(3) Placement in any form of special education program shall be considered as a trial placement and shall be subject to review and additional team planning.

(a) Assessment of the success and appropriateness of the educational program recommended for an exceptional child should be on-going on a daily or weekly basis in the instructional setting.

(b) In addition, at specific short-term periods (no longer than twelve weeks) a determination shall be made if a change to either more intensive or less intensive special education services is needed. This informal monitoring could be efficiently accomplished in schools where regular building level staffings between supportive staff (school psychologists, school social workers and consulting teachers) and the principal and referring regular classroom teachers are held.

(c) When the building level concept for monitoring the child's progress is not implemented, it shall be the responsibility of the special education teacher serving the child (in conjunction with the regular classroom teacher where appropriate) to regularly inform the ad-

ministrator of special education of any children whose progress may require a change in programming. (See (b) above.) If desired, the administrator of special education may designate the school psychologist who coordinated the comprehensive evaluation as the contact person for such reports.

(d) A notation that the short-term review was made shall be placed in the child's file.

(4) Parents shall be kept apprised of the progress of their child.

(5) On an annual basis a staffing conference shall be held to review the child's progress and to determine the appropriate placement for the forthcoming school year. This may be included as a part of the review specified in (3)(b) above.

(6) In no case shall children be maintained in special education programs for longer than three (3) years without a complete comprehensive reevaluation and a written reformulation of his educational program.

(7) Informal follow-up of all children for whom special education services have been terminated shall be carried out yearly for at least two years. Such follow-up shall be used as one method of alerting the special education staff if additional services are needed.

In addition, it is recommended that post-school follow-up be conducted. In consideration of the need for school accountability, follow-up procedures will provide long-range evaluation of the educational program as it relates to students' adult needs.

B. Procedures for Monitoring the Individualized Education Program Policy.

During Fiscal Year 1978 State Department of Education auditors will check the number of written individual education programs on file in each district against the number of handicapped children reported on the district's October 1 and February 1 reports. Additionally, the procedures used by the SEA to approve special education programs for State categorical reimbursement and Title VI-B funds will require that each district submit, in writing, its plans for implementing the individual educational program policy. (See Appendix C). These plans will be monitored through internal review and site visits by State Department of Education staff.

A special project developed cooperatively by the Kansas Association of Special Education Administrators and the State Department of Education will analyze the data needs of local and State special education administration and design appropriate data collection and evaluation procedures. The individualized education program as a vehicle for assessing program effectiveness will be investigated. In a random sample of districts, an in-depth study will be made of:

(1) Evaluation procedures including nondiscriminatory testing and interdisciplinary practices.

(2) Staffing patterns.

(3) Types of annual goals and short-term objectives by area of exceptionality and by chronological age.

(4) Parental/pupil involvement in the IEP development.

(5) Teacher involvement in IEP development.

(6) Measurement of pupil progress toward annual goals and short-term objectives.

In on-site visitations, project staff will review written reports; conduct interviews with parents as well as professional staff, make classroom observations, and attend staffings and IEP conferences. The results of any such study shall not be used to penalize participating districts, but rather to assist them in developing more effective procedures.

VIII

Procedural Safeguards

INTRODUCTION

Procedural safeguards ensuring the rights of children in regard to special education actions are guaranteed in Kansas laws, rules, and regulations. Because it is the intent of the law that each child have an advocate to act in his/her best interests, the prescribed safeguards are extended to the child's lawful custodian.

A. Written Prior Notice

The *Kansas State Plan for Special Education* requires that the lawful custodian be notified before any child may be:

(1) Excluded, reassigned, or transferred from regular school classes on the grounds that he is an exceptional child and cannot materially benefit from such classes.

(2) Placed in, transferred to or from, or denied placement in special education services. This includes:

(a) The initiation or refusal to initiate a comprehensive evaluation for purposes of determining eligibility for special education services, and

(b) Changes in special education programming which result from routine periodic reevaluations of the child's progress.

Notification to the lawful custodian of a proposed change in the exceptional child's educational program may be given orally and shall be given in writing by personal delivery or restricted mail.

The contents of a notice of a proposed special education action as specified in K.S.A. 1978 Supp 72-972 must:

1. Describe the proposed action;
2. State the reasons for the proposed action;
3. Inform the lawful custodian of the right to consent to the proposed action in writing upon forms provided by the board, or to object to the proposed action at a hearing which may be had, upon request of said lawful custodian. . ., (K.S.A. 72-972 further provides that the lawful custodian of the involved child may revoke his or her consent to the proposed action at any time and may request the hearing provided for in this Section of the law); and
4. Inform the lawful custodian of any free or low cost legal or other relevant services available in the area.

The State Plan incorporates the following requirements to ensure that parents understand the content of any notice:

Written notification shall be in English, in language understandable to the general public. It also, shall be provided in the primary language of the home. If the native language or other mode of communication of the home is not a written language, steps shall be taken to ensure that the lawful custodian understands the content of the notice. Oral communication shall be in the primary language of the home.

B. Parental Consent for Evaluation

Consent is defined as meaning that the lawful custodian has been fully informed of all information relevant to the activity for which consent is sought, including a description of that activity. The signed consent is valid only for the activity described.

The *Kansas State Plan for Special Education* requires that *when a child is referred for a comprehensive evaluation, the parents or guardians shall be notified and given the opportunity for a personal conference concerning the reason for referral prior to the implementation of the evaluation. The following procedures shall be implemented:*

(1) Notification of the referral for evaluation may be given orally and shall be given in writing by registered mail or personal delivery.

(2) Notification shall be written in language understandable to the general public and provided in the native language of the parent.

(3) If the native language or other mode of communication of the parent is not a written language, steps shall be taken to ensure that the parent understands the content of the notice.

(4) The notice shall include:

(a) A request for written consent.

(b) A clear description of proposed evaluation procedures (e.g., kinds of tests used, approximate duration of the evaluation procedure, and other relevant information).

(5) If the parents give written consent for the evaluation, it may be initiated immediately. In the absence of written consent, no action shall be taken within a period of ten days, which period shall afford the parents the opportunity to indicate their objections to the evaluation.

(6) If after the ten day waiting period the parents or guardians have failed to respond to the written request for permission, the evaluation may be initiated.

(7) If the parents or guardians refuse permission for evaluation, the district shall attempt to seek resolution through individual conference(s). If the parents still refuse to allow the proposed evaluation, the district shall either accept the decision or apply to a court of competent jurisdiction for an order directing such an evaluation. To this end, records of contacts and consultations with parents shall be maintained.

C. Parental Consent for Placement

If the results of the comprehensive evaluation and the subsequent multidisciplinary staffing indicate that a child is eligible for special education services, an individualized educational program shall be developed as described in Section VI of this Plan. Standards set forth in the *Kansas State Plan for Special Education* state that if the child's lawful custodian gives written consent for the proposed special education action, such action may be initiated immediately. In the absence of written consent, no action shall be taken within the period afforded the lawful custodian to request a hearing. If there are objections to the proposed action the district must:

(1) Describe all of the rights regarding procedures at a due process hearing.

(2) Indicate the opportunity to obtain an independent evaluation of the child.

(3) State that the child will remain in his/her present education placement until such time as there is a decision following the due process hearing or until a proposed educational placement is accepted by both parties.

If the complaint involves admission of the child to public school, the child, with the consent of his/her lawful custodian, shall be placed in a public school program until the completion of all the proceedings.

D. Impartial Due Process Hearing by Local Education Agency

Should there be irreconcilable differences between the school and the lawful custodian as to the appropriateness of the proposed special education action, both parties are afforded an opportunity for an impartial due process hearing.

1. Parties Rights in the Hearing: Kansas law requires that every local board of education adopt rules and regulations for conducting due process hearings related to special education actions. Procedural due process safeguards which must be included are specified in K.S.A. 1978 Supp.72-973.

   (a) The right of the parties to have counsel of their own choice present and to receive the advice of such counsel or other person whom they may select;

   (b) The right of the lawful custodian of the child to be present at the hearing;

   (c) The right of the child and his or her counsel or advisor to hear or read a full report of the testimony of witnesses responsible for recommending the proposed action and of any other material witnesses;

   (d) The right of the parties and their counsel or advisor to confront and cross-examine witnesses who appear in person at the hearing, either voluntarily or as a result of the issuance of a subpoena;

   (e) The right of the parties to present witnesses in person or their testimony by affidavit, including expert medical, psychological or educational testimony;

   (f) The right of the child to testify in his or her own behalf and give reasons in opposition to the proposed action;

   (g) The right of the parties to prohibit the presentation of any evidence at the hearing which has not been disclosed to the opposite party at least five (5) days prior to the hearing;

   (h) The right of the parties to have an orderly hearing;

   (i) The right of the child to a fair and impartial decision based on substantial evidence; and

   (j) The right of the parties to have a record of the hearing made by mechanical or electronic recording or by an official court reporter.

2. Hearing Officer: K.S.A. 1978 Supp.72-973 provides that the due process hearing conducted by the local education agency *shall be conducted by a hearing officer or officers appointed by the board. No such hearing officer may be a member of the board and shall not be any person:*

   (a) Responsible for recommending the proposed action upon which the hearing is based,

   (b) Having a personal or professional interest which would conflict with his or her objectivity in the hearing, or

   (c) Who is an employee of the state board or of any board involved in the education of such child.

3. Timelines for Local Education Agency Hearing: *The hearing shall be held not later than thirty (30) days from the date on which the request therefore is received . . . The child and his or her lawful custodian shall be notified in writing of the time and place of the hearing at least five (5) days prior thereto . . .The hearing office or hearing officers shall render a decision on any such hearing not later than five (5) days after the conclusion of the hearing.*

. . . Whenever a hearing officer appointed under this section conducts any hearing, such hearing officer shall decide the matter and shall prepare a written report thereon to the board. Any decision by the hearing officer in accordance with this subsection (c) shall be final, subject to appeal in the manner provided for in K.S.A. 1977 Supp. 72-974, as amended (K.S.A. 1978 Supp. 72-973).

E. Review by State Education Agency

According to State law, the hearing officer(s) appointed by the local education agency must render a decision not later than five (5) days after the conclusion of the hearing. Written notice of the decision shall be sent to the affected parties by restricted mail within twenty-four hours after the result is determined. The decision, after the deletion of any personally identifiable information, shall also be sent to the State Advisory Council for Special Education.

Any party may appeal the decision of the local hearing officer to the State Board of Education by filing a written notice of appeal with the Commissioner of Education. Any such appeal shall be reviewed by the State Board, or their designee, not later than twenty days after the notice of appeal is filed. The State Board shall:

(1) Examine the record of the hearing;

(2) Determine whether the procedures at the hearing were in accordance with the requirements of due process;

(3) Afford the parties an opportunity for oral or written argument or both, at the discretion of the State Board;

(4) Render its decision on any such appeal not later than five (5) days after the conclusion of the appeal hearing completion of the review; and

(5) Send written notice of its decision on any such appeal to the parties (K.S.A. 1978 Supp. 72-974).

The decision of the State Board of Education must be rendered not later than five (5) days after the completion of the review. This decision shall:

(1) Include reasons for upholding or refuting the findings and conclusions of the due process hearing.

(2) Be based solely on evidence and oral argument presented during the review.

(3) Be accompanied by a statement that the decision may be appealed to the district court as provided by K.S.A. 60-2101.

F. General Regulations of Hearings and Appeals

(1) Any person, hearing officer, or board of education of the school district holding a hearing may administer oaths for the purpose of taking testimony under the authority of K.S.A. 1975 Supp. 72-975. The costs of any hearing by a local board of education under K.S.A. 72-972 shall be paid by the school district in which the child resides.

(2) Unless appealed, the decision resulting from any hearing or review is binding upon the local board of education, its officers, employees, and agents.

(3) Unless appealed, the decision resulting from any hearing or review is also binding upon the parents or guardians or upon the child if over the age of majority.

(4) Any person, hearing officer, or board conducting a hearing or review may request the clerk of the district court to issue subpoenas for the attendance and testimony of witnesses and the production of all relevant records, tests, reports, and evaluations as specified in K.S.A. 60-245. Any party to the hearing may

compel the attendance of witnesses and/or the production of relevant evidence by requesting the issuance of a subpoena through the hearing officer or board conducting the hearing or review.

(5) A person shall not be considered an employee of a local board of education solely because he/she is paid by the board to serve as a hearing officer. Any such appointment shall apply to a particular hearing or to a class of hearings.

(6) K.S.A. 72-977 reads as follows: *When a school district provides special education services for exceptional children as required by this act, and a determination has been made as provided in K.S.A. 72-972 to K.S.A. 72-975, inclusive, of this, that a child is an exceptional child and special education services are necessary for such child, it shall be the duty of the parent or guardian of such exceptional child to require such child to enroll for and attend the special education services which are indicated by such determination.*

G. Appointment of Surrogate Parents

It is the intent of the state and federal law that each child have an advocate to represent his/her interests in identification, evaluation, and/or special education placement actions. In most cases this advocate will be the child's parent(s) or guardian(s). For any child whose parents or guardians are unknown or unavailable (e.g., dependent and neglected children or children who are wards of the state), a lawful custodian must be appointed to represent the child.

The term "lawful custodian" is defined in K.S.A. 1977 Supp. 72-972 as:

(1) Parent,

(2) Step-parent,

(3) Foster parent,

(4) Guardian,

(5) Person having legal authority of the child,

(6) Person legally liable for the child's maintenance, care or support, or

(7) In the absence of any of the above, a relative or other interested person, provided that the other interested person is not an employee of the State Board of Education or any local board involved in the education of the child.

The *Kansas State Plan for Special Education* states that, before taking any special education action, the local education agency must:

(1) Notify the child's parent(s) or guardian(s) if any such person(s) is known and is available to represent the child.

(2) If the child is a ward of the court, notify the court and request the appointment of a lawful custodian.

(3) If the child is a ward of the state, notify the Area Office of Social and Rehabilitation Services and request the appointment of a lawful custodian.

(4) If the person having legal responsibility for the child is not known or is unavailable, cause proper proceedings to be instituted pursuant to the Kansas Juvenile Code to determine whether the child is dependent and neglected.

H. Training of Surrogate Parents

Operationally, the appointment of a lawful custodian, when necessary, is the responsibility of the Area Offices of the Department of Social and Rehabilitation Services. The supervisors of these Area Offices have been furnished with materials which specify the educational rights of handicapped children and the procedural safeguards which guarantee these rights. Any person designated as lawful custodian of a handicapped child is instructed by Area Office staff in these matters.

I. Confidentiality of Records

K.S.A. 1977 Supp. 72-6214 requires that the State Board of Education and the board of every school district *shall adopt a policy in accordance with applicable federal laws and regulations to protect the right of privacy of any student or pupil and his or her family regarding personally identifiable records, files, and data directly related to such student or pupil.*

The *Kansas State Plan for Special Education* requires that all screening, evaluation, placement and review procedures *shall include provisions for due process and shall maintain confidentiality of all information collected.*

The following policies have been adopted by the Kansas State Board of Education to assure the protection of the confidentiality of any personally identifiable data collected or maintained pursuant to the identification and evaluation of children for purposes of placement in special education.

1. **Notification Policy:** The State Board of Education shall be responsible for informing the public of policies and procedures established to assure the protection of the confidentiality of personally identifiable data, information and records collected or maintained by the State pursuant to the location, identification, evaluation and educational placement of exceptional children. The notice will be given in the native languages of the various population groups of the State.

2. **Parent/Child Rights Policy:** The following rights must be assured in the confidentiality policies and procedures of all State agencies participating in the identification, location, and evaluation of children for purposes of placement in special education and related services. The SEA itself shall also observe these requirements in protecting the confidentiality of any personally identifiable information on exceptional children which it collects and/or maintains.

   (a) Access Rights of Parents

      (1) Parents or their duly authorized representative shall be permitted to inspect and reveiw any personally identifiable data relating to their children without unnecessary delay (in no case more than 45 days after the request has been made) and prior to any hearing relating to the identification, evaluation or placement of the child. (Note: The agency may presume that the parent has authority to exercise this right unless the agency has been advised that the parent does not have the authority under applicable State Law governing such matters as guardianship, separation, and divorce.)

      (2) If any record includes data on more than one child, parents shall inspect and review only those data relating to their child. If this is not feasible parents must be informed of the data specific to their child.

      (3) A response to reasonable requests for explanation or interpretation of the data shall be made by a qualified professional.

      (4) Records shall be kept which name all persons obtaining access to a child's records (excluding parents and authorized employees of the agency) and which give the date access was given and the purpose for which the person was given access to the records.

      (5) A listing shall be kept of the types and locations of data collected and maintained by the agency. This listing shall be made available to parents upon request.

      (6) No charge shall be made to parents to search for or to retrieve data. The agency may charge a fee for copies of records which are made, if

the fee does not effectively prevent parents from exercising their right to inspect and review those records.

(b) Hearing Rights of Parents

(1) Parents may request appropriate amendments to records which they believe to be inaccurate, misleading or in violation of the privacy or other rights of the child.

(2) Within a reasonable period of time, either (a) the records shall be amended as requested or (b) the parents shall be notified of the agencies decision to refuse the request and advised of their right to a hearing in order to challenge the data.

(3) Upon parental request a hearing shall be conducted to determine whether or not the challenged data are inaccurate, misleading or in violation of the legal rights of the child.

(4) If a hearing is requested it shall be held within a reasonable period of time after the request and the parent shall be given advance notice of the time, date, and place of the hearing.

(5) The hearing shall be impartial, i.e., conducted by a party who does not have a direct interest in its outcome.

(6) Parents may present evidence relevant to the issues and may be assisted or represented by individuals of their choice (including an attorney) at their own expense.

(7) Parents shall be notified, in writing, within a reasonable period of time of the agency's decision. This decision shall be based solely upon the evidence of the hearing and shall include a summary of the evidence and the reasons for the decision.

(8) If, as a result of the hearing, the agency decides that the record should be amended as requested, it shall so amend the record. If the agency decides not to amend the record, it shall inform the parents of their right to enter into the records a statement about the challenged data which gives their reasons for disagreeing with the decision of the agency. This statement shall be maintained in, and treated as part of, the child's records as long as the records or the contested portion thereof is maintained by the agency.

(9) If parents are in disagreement with the results of the hearing, they may appeal to the State Department of Education which shall review the pertinent facts and attempt to resolve the disagreement through communications with the parents and the agency.

(c) Parental Consent Policy

If parental consent is denied in any of the following cases, the agency involved shall attempt to seek resolution through individual conferences(s). If the parents still refuse to allow the proposed action, the agency shall either accept the decision or apply to a court of competent jurisdiction for an order directing the parents to comply. To this end, records of contacts and consultations with parents shall be maintained.

(1) Parental consent shall be obtained before personally identifiable data are:

(a) disclosed to anyone other than officials of the agency collecting or using the data. (Note: Section 438 of the General Education Provisions Act shall apply to educational agencies).

(b) used for any purpose other than identification and evaluation for purposes of determining a need for special education and related services.

(c) used for purposes other than those previously specified to the parent.

3. **Safeguards**

(a) The confidentiality of data shall be protected at collection, storage, disclosure, and destruction stages.

(b) One official shall be designated by the agency to be responsible for assuring the confidentiality of any personally identifiable data.

(c) Provision shall be made for instruction regarding *Title 45 of the Federal Regulations, as Amended,* and State policies and procedures as set forth in this document for all personnel collecting or using personally identifiable data.

(d) A current listing of the names of agency personnel who may have access to personally identifiable data shall be maintained for public inspection.

4. **Destruction of Data**

Note: Destruction is defined as physical destruction or the removal of personal identifiers so that data is no longer personally identifiable.

(a) Parents shall be informed when personally identifiable information is no longer needed to provide educational services to the child and be notified of their right to request that the information be destroyed. If the parents request that the information be destroyed, the agency shall comply. However, a permanent record of the student's name, address, and telephone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

(b) When informing parents about their rights in regard to the destruction of personally identifiable information, the agency should remind them that the records may be needed by the child for social security benefits or other purposes.

5. **Children's Rights Policy**

When a child has reached the age of majority (18), the permission or consent required of and the rights accorded to parents of the child shall be required of and accorded to only the child (1) providing the child is not dependent as defined by section 152 of the Internal Revenue Code of 1954, and (2) providing the child is judged competent to accept and profit by this responsibility both by the agency and by the parents. Should any of the parties involved (parent, child, or agency) disagree as to the child's competency, the matter shall be taken to a court of competent jurisdiction.

6. **Enforcement Policy**

The Kansas State Department of Education shall review the confidentiality policies and procedures submitted by each district/cooperative as part of its Local Comprehensive Plan for Special Education (as required by the State Plan for Special Education) and the policies of other participating agencies in order that the U.S. Commissioner of Education may be advised as to Kansas' eligibility for funding under Title VI-B, Education for All Handicapped Act: P.L. 89-313, Title I, E.S.E.A.; and other Federal programs for the handicapped. Program visitations by SEA staff shall include a review of the implementation of local confidentiality policies and procedures.

Federal funds for the handicapped administered through the State Education Agency will be withheld from any agency found to be substantially in violation of State and Federal policies, rules and regulations regarding the confidentiality of personally identifiable data.

J. Procedures for Implementing the Procedural Safeguards Policy

1. Administrative Procedures

State special education laws were amended in the 1978 Legislative Session to conform with the provisions of the Education for All Handicapped Children Act. Kansas Administrative Regulation 91-12-20 states that *In providing special education services for exceptional children, the board of education of every school district shall comply with the Kansas State Plan for Special Education as adopted by the state board on April 12, 1976, and as such plan may from time to time be amended.* K.S.A. 1978 Supp. 72-972 through 72-975 and the State Plan clearly specify the procedural safeguards of exceptional children and their parents.

2. Monitoring Activities

K.S.A. 1978 Supp. 72-972 requires each school district to draft and adopt special education due process rules and regulations which are in conformance with the Act. Under the authority of the *State Plan for Special Education*, each district must submit a copy of these rules and regulations and adopted confidentiality policies to the SEA for review.

On the premise that informed parents will be the most effective monitors of State and local due process procedures, the SEA shall continue the following public awareness activities:

(a) Dissemination of information on parent/child rights.

(b) Presentations to parent and community organizations by SEA and Child Identification Project staff.

(c) Mass media presentations on the right to education.

(d) Maintenance of a toll-free WATS through which information on parent/child rights is available.

(e) Regular meetings with representatives of other agencies providing services to handicapped children.

IX

Least Restrictive Environment

A. State Regulations and Standards

1. The *Kansas State Plan for Special Education* states that *exceptional children shall be educated in a least restrictive alternative program. This statement describes the right of exceptional children to be educated with their normal peers unless clear evidence is available that partial or full removal will provide an improved program for the child. In addition, no placement shall be considered permanent, but shall be subject to on-going review.* The Plan further requires that a determination of the extent to which the regular program can meet an exceptional child's needs and a written justification for the suggested type of educational placement be included in the child's individualized educational plan.

   Requirements relative to systematic review of any special education placement are:

   (a) When the goals and objectives specified in the child's individualized educational program have been reached, new goals and objectives shall be formulated. The child shall be returned progressively to as near a normal setting as possible.

   (b) Placement in any form of special education program shall be considered as a trial placement and shall be subject to review and additional team planning.

      (1) Assessment of the success and appropriateness of the educational program recommended for an exceptional child should be ongoing on a daily or weekly basis in the instructional setting.

      (2) In addition, at specific short-term periods (no longer than twelve weeks) a determination shall be made if a change to either more intensive or less intensive special education services is needed. This informal monitoring could be efficiently accomplished in schools where regular building level staffings between supportive staff (school psychologists, school social workers, and consulting teachers) and the principal and referring regular classroom teachers are held.

      (3) When the building level concept for monitoring the child's progress is not implemented, it shall be the responsibility of the special education teacher serving the child (in conjunction with the regular classroom teacher where appropriate) to inform the administrator regularly of special education of any children whose progress may require a change in programming. (See (b) above.) If desired, the administrator of special education may designate the school psychologist who coordinated the comprehensive evaluation as the contact person for such reports.

      (4) A notation that the short-term review was made shall be placed in the child's file.

   (c) Parents shall be kept apprised of the progress of their child.

   (d) On an annual basis a staffing conference shall be held to review/revise the child's IEP.

   (e) In no case shall children be maintained in special education programs for longer than three years without a complete comprehensive reevaluation.

(f) *Informal follow-up of all children for whom special education services have been terminated shall be carried out yearly for at least two years. Such follow-up shall be used as one method of alerting the special education staff if additional services are needed.*

In addition, it is recommended that post-school follow-up be conducted. In consideration of the need for school accountability, follow-up procedures will provide long-range evaluation of the educational program as it relates to students' adult needs. (Kansas State Plan for Special Education)

2. The *Kansas State Plan for Special Education* requires that *Sufficient education alternatives shall be provided to meet the diverse needs of all children and youth with various types and degrees of exceptionality.*

Criteria for approvable programs which may be included in a district's array of placement options for exceptional children also are set forth in the State Plan. A total special education program is described which includes *a continuous series of service levels, as needed, on a progressive scale from least to most intensive* and which provides for moving learners from one level to another in accordance with the least restrictive environment principle; i.e.; learners are placed where they benefit most at the least distance away from mainstream society. Exceptional learners are moved toward more intensive service levels only as far as necessary: all exceptional learners are moved toward the mainstream as soon as possible. Administrative plans suggested as points on a total service continuum which are defined in the Plan include the following:

Special Instructional Materials and/or Equipment Only,
Consulting Teacher Plan,
Itinerant Teacher Plan,
Resource Room Plan,
Integrated Special Class,
Self-Contained Special Class,
Special Day Schools,
Residential School,
Hospital Instruction, and
Homebound Instruction.

The above-mentioned State regulations and standards are consistent with the requirements of Section 612 (5) (B) of the Education of All Handicapped Children Act.

B. Monitoring Procedures

1. The procedures used by the Kansas State Department of Education to monitor special education programs are designed to assess the degree to which school districts or special purpose schools are in compliance with all of the provisions of State and Federal law. Program approval is contingent upon:

(a) *Qualifications of instructional personnel.*

(b) *Acceptable pupil/teacher ratio.*

(c) *Appropriate support services.*

(d) *Appropriate curricula.*

(e) *Provision of adequate facilities, instructional materials, and equipment.*

(f) *Acceptable identification, placement, and review procedures. (Kansas State Plan for Special Education)*

Compliance with the individualized educational program and least restrictive alternative requirements is considered in relation to the last criteria, i.e., identification, placement, and review procedures.

2. Monitoring procedures rely upon a review of required reports and written plans followed by site visits from the State Department of Education staff. Documentation of substantial noncompliance may result in loss of accreditation and/or the withholding of State categorical monies. Funding under Title VI-B, E.H.A. shall be withheld if substantial noncompliance is established.

3. On May 1 of each year each school district must submit to the State Department of Education its comprehensive plan (or update thereof) for providing appropriate special education services to all exceptional children of school age residing within the school district. Such local comprehensive plan is reviewed by Department staff; a written notice of areas of deficiency is returned to the district. Through this initial screening, the Department staff responsible for monitoring special education programs are alerted to possible cases of noncompliance with State and Federal requirements and site visits are made. Procedures for the systematic review of any special education placement must be described in each local plan, including local needs assessment data which show the types of alternative placements available to exceptional children within each category and the number of exceptional children within each category who are receiving services in each placement option.

4. Current procedures for program approval by the State Department of Education require that each teaching unit, by category, be classified as self-contained, resource, itinerant, homebound, or hospitalized as well as by level of instruction. All LEA contracts for special education services with accredited special purpose schools must be approved by the Kansas Commissioner of Education. Those combined data are used to ascertain the range of services provided in each school district.

5. A special project sponsored by the Kansas Association of Special Education Administrators to assist in statewide implementation of the individualized educational program requirement of P.L. 94-142 will review annually the degree to which handicapped children are being served in the least restrictive alternative in a random sample of school districts/cooperatives.

X

Protection in Evaluation Procedures

A. Non-Discriminatory Testing Policy

It is the responsibility of each school district to conduct child evaluation activities prior to taking special education actions. This requirement, as well as certain evaluation procedures which must be followed, are specified in Kansas laws, regulations, and standards.

1. *No child from a home in which English is not the principal language may be assigned to special education services for exceptional children until such times that the child has been given, in the principal language used in his home, examinations reasonably related to his cultural environment (K.S.A. 72-963).*
2. *Districts shall be responsible for systematic and non-discriminatory identification and evaluation procedures.*
3. *The comprehensive evaluation shall be multi-disciplinary and multi-sourced to provide a comprehensive view of the child from the perspective of the school, home, and community.*
4. *Local districts shall implement on-going screening procedures which identify those children who may have learning assets or deficits sufficient to require special education services. Screening shall be used as the first phase in the identification of exceptional children and shall not be used as a basis for placement or programming. Such screening shall:*
   (a) *Include but not be limited to the mandatory hearing and vision screening, and*
   (b) *Include at least two (2) additional types of instruments and procedures.*
5. *Each district shall conduct child evaluation activities to determine which of the children identified through screening actually require special education.*
6. *Coordination of the comprehensive evaluation shall be the responsibility of an approved school psychologist who shall determine that each child approved for special education services has had an appropriate evaluation. An appropriate evaluation shall include only those tests and other evaluation materials which have been validated for the specific purpose for which they are used.*
7. *If the child's communication skills are impaired due to hearing or vision loss and/or language deficits, the district shall utilize test instruments which allow for the child's optimum performance.*
8. *Evaluation through diagnostic and prescriptive techniques shall be used when a child may be unfairly evaluated by the use of standardized tests because of his/her language differences or deficiencies, non-adaptive behavior, or extreme cultural differences.*
9. *Public school psychological evaluations shall be carried out only by an approved school psychologist certified by the Kansas State Department of Education or by an appropriately trained psychologist certified by the Kansas State Board of Examiners and approved by the Kansas State Department of Education. (Kansas State Plan for Special Education)*
10. Criteria for screening and evaluation procedures are set forth in the *Kansas State Plan for Special Education* as follows:

(a) In order to identify those children in need of special education services and to plan an appropriate educational program for each child, districts shall implement procedures based on the following criteria.

(1) Screening procedures shall be established which will tentatively identify those children who have learning assets or deficits sufficient to require special education services. The screening shall:

(a) Include all school age children. Priority shall be given to early identification. Preschool screening is recommended and should be initiated wherever possible.

(b) Be used as the first phase in the identification of exceptional children and shall not be used as a basis for special education placement or programming. Written permission is not required for screening which considers all children.

(c) Include but not be limited to the mandatory hearing and vision screening. For specific screening considerations in the areas of vision and hearing, see those program sections and

(d) Include at least two of the following types of instruments and procedures:

- *developmental screening instruments*
- *review of group achievement and intelligence tests*
- *teacher and parent referrals*
- *behavioral checklists*
- *adaptive behavior observations*
- *other techniques developed locally by multi-disciplinary efforts*

(2) Referral for a comprehensive evaluation shall be made whenever screening, referral, lack of progress in entry level (indirect) services, or review of progress toward individualized educational program goals indicate the child may be in need of special education or a change in special education placement. The comprehensive special education evaluation of a child shall:

(a) Provide a comprehensive view of the child which includes consideration of the school, home, and community. It shall be nondiscriminatory and multi-disciplinary and shall include physical, psychological and educational data. The intent of the evaluation shall be to develop an individualized educational program for the child based upon diagnostic-perscriptive program planning.

(b) Include input from appropriate qualified professional specialists such as the school psychologist, school social worker, regular teacher, special education teacher, nurse, speech clinician, counselor, and administrative staff and from the parents and/or student. Input from other public and private community sources should be utilized whenever appropriate.

(c) Evaluations by qualified personnel from outside the school district may be incorporated in educational planning for exceptional children. If the nature of the evaluation is such that it would ordinarily be done by school staff, it shall be reviewed and approved by a professional of the same discipline within the school district.

- *the child's developmental, psychological, social and educational functioning,*
- *his/her physical health or sensory impairment which may influence learning, and*
- *the classroom and school learning climate.*

(d) Comply with K.S.A. 72-963. No child from a home in which English is not the principal language may be assigned to special education services for exceptional children until such times that the child has been given, in the principal language used in his home, examinations reasonably related to his cultural environment.

Caution should be exercised in carrying out the above requirement. The intent of the law is to ensure that children are not misclassified because of inappropriate selection, administration or interpretation of evaluation materials. The results of tests administered to a child with impaired sensory, manual or speaking skills should accurately assess whatever factor the test purports to measure rather than reflect the child's impaired communication skills, except where those skills are the factors which the test purports to measure.

Caution also should be taken to assure that the principal language of the home is the language best understood by the child. Suggestions for implementation are:

- *use a qualified evaluator fluent in both the child's primary language and in English. This is the preferred alternative.*
- *use an interpreter to assist the evaluator and child with language and testing.*
- *select test instruments which lessen cultural factors and do not stress spoken language. Measures of intellectual functioning should include valid and reliable measures of performance.*

(e) Consider the child's communication skills. If they are impaired due to hearing or vision loss and/or language deficits, the district shall utilize test instruments which would allow for the child's optimum performance. Tests should include non-language performance scales standardized on, or adapted for, the area of exceptionality involved. Suggestions for additional adaptions are:

- *use visual communication techniques in place of, or in addition to, auditory techniques.*
- *use auditory communication techniques in addition to possible large print or transcribed braille tests.*
- *use an aide who is skilled in finger signing or total communication to assist the evaluator.*

(f) Include diagnostic and prescriptive techniques when a child may be unfairly evaluated by the use of standardized tests because of his/her language differences or deficiencies, non-adaptive behavior, or extreme cultural differences. In those cases in which appropriate measures and/or qualified persons are not available, no immediate assessment will be made. A diagnostic prescriptive educational program shall be implemented and continued until the child has acquired sufficient familiarity with the language and culture of the school for more formal assessment.

(g) Be coordinated by an approved school psychologist. He/she shall determine that each child approved for special education services has had an appropriate evaluation as described above.

(3) Public school psychological evaluations shall be carried out only by an approved school psychologist certified by the Kansas State Department of Education or by an appropriately trained psychologist certified by the Kansas State Board of Examiners and reported to the Kansas State Department of Education.

In school districts where school psychology interns or practicum students are in training, the psychological evaluations carried out by these students shall be reviewed and signed by the fully approved school psychologist responsible for their supervision. Decisions based upon these evaluations shall be the responsibility of the supervising psychologist.

(4) Due to the low incidence of handicaps in the areas of visually impaired, blind, hearing impaired, and deaf, and the specialized skills needed when evaluating these children, districts/cooperatives may request assistance from the Regional Evaluation Teams for Visually Impaired and Hearing Impaired.

B. Determination of Educational Placement Policy

1. The *Kansas State Plan for Special Education* requires that: *After completion of the comprehensive evaluation, one or more staffing (placement committee) conference shall be held to develop an individual educational plan for the child. Such plan shall be kept on file by the local district and/or cooperative and shall be available to authorized individuals as needed for implementation thereof.* State requirements relative to the development, implementation, and periodic review of each individual educational plan are described in detail in that section of this Annual Program Plan. The *Kansas State Plan for Special Education* specifies the schedule for reviewing each special education placement:

   (a) No placement shall be considered permanent but shall be subject to ongoing review.

   (b) Assessment of the success and appropriateness of the educational program recommended for an exceptional child shall be ongoing on a daily or weekly basis in the instructional setting.

   (c) At specific short-term periods (no longer than twelve weeks) a determination shall be made if a change to either more intensive or less intensive special education services is needed.

   (d) Parents or guardian(s) shall be kept apprised of the progress of their child.

   (e) On an annual basis a staffing conference shall be held to review the child's progress and to determine the appropriate placement for the forthcoming school year.

   (f) In no case shall children be maintained in special education programs for longer than three (3) years without a complete comprehensive reevaluation.

   (g) Informal follow-up of all children for whom special education services have been terminated shall be carried out yearly for at least two (2) years. (Authorized by K.S.A. 1975 Supp. 72-961 et. seq.; effective July 1, 1974).

2. Procedures for conducting a staffing conference to interpret evaluation data and to make placement decisions also are described in the *Kansas State Plan for Special Education*:

(a) After completion of the comprehensive evaluation, one or more staffing (placement committee) conferences shall be held to determine the child's eligibility for special education programming. The staffing shall include those persons who participated in the evaluation. In addition, any persons who are directly or indirectly involved in or influence the child's educational success shall have the opportunity for input to the staffing. The opinions and concerns of the child's parents shall be presented (either personally or by a school staff member) as a significant part of the available information. Whenever possible, parents should participate in the staffing conference. If it is determined that the child is in need of special education, an individualized educational program shall be developed as specified in this State Plan.

(b) Efficient staffing conferences require team effort. It is, therefore, recommended that the position of chairperson of the placement committee be rotated. The chairperson shall be responsible to the administrator of special education. He/she shall convene the staffing conferences and coordinate the development, implementation, and evaluation of the individualized educational program for the child.

(c) The written recommendations of the staffing (placement) committee shall be kept on file and shall be available to education personnel as needed. (See Appendix C).

C. Procedures for Implementing Protection in Evaluation Procedures

The procedures used by the State Department of Education to monitor special education programs are designed to assess the degree to which school districts or special purpose schools are in compliance with all of the provisions of State and Federal law. Acceptable identification, placement, and review procedures are specifically cited (See Appendix E) as necessary for program approval.

Monitoring procedures rely upon a review of required reports and written plans followed by site visits by State Department of Education staff.

1. Each school district and special purpose school must submit annually to the State Department of Education its comprehensive plan (or update thereof) for providing appropriate special education services. Each plan is reviewed in relation to specific requirements, including student evaluation procedures. A written notice of any areas of deficiency is returned to the submitting agency. Site visits are routinely conducted to insure that acceptable procedures are being implemented.
2. A special project sponsored by the Kansas Association of Special Education Administrators will focus on statewide implementation of the individualized educational program requirement of P.L. 94-142. As part of this project, the evaluation procedures used to determine eligibility for and placement in special education programs will be examined through on-site visitations.

XI

Participation of Private School Children in Program Assisted or Carried Out Under Title VI-B, E.H.A.

A. Policy for Participation of Private School Children in Title VI-B, E.H.A. Programs

1. All children enrolled in private schools who are determined, by the procedures set forth in State laws, rules, regulations, and guidelines, to be handicapped and in need of special education services may participate in any program assisted or carried out under Part B of the Education of All Handicapped Children Act.
2. Referral of a private school pupil to public school special education services may be initiated by private school personnel, the pupils' parents, or the pupil when appropriate special education services are not provided by the pupil's private school.
3. No school district shall be responsible for any costs related to the evaluation and placement procedures used to determine the eligibility of a private school pupil for participation in public school special education programs.
4. Any State institution or school district providing special education and related services to children enrolled in private schools shall maintain administrative control and direction over such services.
5. Title VI-B, E.H.A. funds for services for handicapped children enrolled in private schools shall not be used to pay any salaries of private school personnel. Payment may be made for contracts for the services of such personnel outside their hours of duty providing that the service provider:
   (a) Holds current State licensure or certification appropriate to the special education needs of the child and
   (b) Is responsible to and under the supervision of the contracting school district or State institution.
6. Title VI-B, E.H.A. funds shall not be used either to construct private school facilities or to purchase equipment for private schools. Equipment may be purchased by school districts for use in private schools provided that:
   (a) The equipment is mobile or portable.
   (b) The title to and administrative control over such equipment is maintained by the school district.
   (c) The school district assumes responsibility for monitoring the use, availability, and removal of such equipment.
7. Title VI-B, E.H.A. projects and programs carried out in public facilities and involving joint participation by handicapped children enrolled in private schools and in public schools, shall not separate such children on the basis of school enrollment or religious affiliation.

B. Procedures for Implementing and Monitoring the Participation of Private School Children Policy

1. Upon adoption of this Annual Program Plan by the State Board of Education, the above policies shall govern the administration of Title VI-B, E.H.A. funds by both the State Education Agency and local education agencies.

2. Each local education agency application for Title VI-B funds shall include notorized assurance that the above policies will be implemented. State Department of Education monitoring shall be accomplished through internal review of such assurances and site visits by State Department staff.

XII

Placement in Private Schools

A. Accreditation of Special Purpose Schools

Kansas statute (K.S.A. 72-966) requires the board of education of every school district to make a free and appropriate public education available to all exceptional children in the school district. In order to comply with this requirement, districts may *contract with any accredited private nonprofit corporation or any public or private institution within or without the state which has proper special education services for exceptional children* (K.S.A. 72-967). When it is determined (as a result of the individual educational program conference or due process proceedings) that placement in an accredited private school is necessary to provide appropriate special education and related services for a handicapped child, the child's district of residence is responsible for making these services available, at no cost to the parents, through a contractual arrangement. If placement in a private residential program is necessary, the cost of the child's room and board and other non-medical care must also be provided at no cost to the parents as required by Part 84, Section 84.33 (c) (3) of Title 45 of the Code of Federal Regulations. As set forth in the *Kansas State Plan for Special Education*, all contracts must be approved by the State Board of Education and must include the following:

(1) *Contracting parties.*
(2) *Authority for contract (refer to K.S.A. 1974 Supp. 72-967 or K.S.A. 1976 Supp. 72-970).*
(3) *Statement that the agencies offering services are accredited or approved.*
(4) *Names of children to be served. Note: Confidentiality of these names shall be maintained by all parties holding copies of the contract.*
(5) *Supportive services provided (in addition to educational program).*
(6) *Length of contract. All contracts must be approved annually.*
(7) *Cost of contracted services.*
(8) *Provision for termination of contract.*
(9) *Means by which sending agency will implement individual education program procedures and monitor pupil progress.*
(10) *If the contract is between two school districts, agreement that the sending district will count the child for state, county, and other financial assistance.*
(11) *If the contract is between a state institution and a school district, specification of the federal education of the handicapped support program (P.L. 94-142 or P.L. 89-313) under which the child will be counted for state/local entitlements.*

To be a special purpose school, the school must be accredited by an agency of the state of Kansas or by the state in which the private school or institution is located. If the accreditating agency is outside of the Kansas State Department of Education, the school or institution shall also be subject to approval by the Special Education Administration Section. The curriculum must meet criteria set by the Special Education Administration Section and approved by the State Board. Such approval shall be obtained each year. Article 28 of Kansas Administrative Regulations (See Appendix D) detail the procedures for accrediting special purpose schools within the State. Each school, in order to be designated as a special purpose school, must submit annually a comprehensive plan of operation which meets the provisions of the Special Education for Exceptional Children Act as well as the standards of the State Board of Education

as set forth in the *Kansas State Plan for Special Education*. Private nonprofit corporations located outside of the State will be recognized as special purpose schools provided that they are accredited by the state education agency in which they are located.

Representatives from nonpublic schools participated in the development of both Bulletin 401 (Rules, Regulations, Standards and Procedures for Accrediting Special Purpose Schools) and the *Kansas State Plan for Special Education*. Both documents are routinely furnished to any school seeking accreditation as a special purpose school. Suggestions for the improvement of both documents are considered annually by the State Board of Education. Notification of a thirty day period giving opportunity for public comment and a public hearing must be given prior to any State Board action which would substantially revise either document.

B. Parental Placements

The *Kansas State Plan for Special Education* includes the following policy regarding the placement of an exceptional child in a private school by his/her lawful custodian. *Whenever an exceptional child is offered free and appropriate special education services within his/her district/cooperative of residence, and the child's parent or guardian chooses to place the child in a private school, the parent or guardian shall assume full financial responsibility for the child's education. When a parent or guardian contends that he/she has been forced to seek and bear the cost of private schooling for an exceptional child because the responsible school district does not offer an appropriate special education program, and if the district disagrees, due process procedures shall be implemented to resolve the disagreement and the question of fiscal responsibility.*

C. Monitoring Procedures

State Department of Education procedures for accrediting special purpose schools ensure that exceptional children enrolled in such schools will have all the rights they would have if educated in a public school. Application for accreditation must be made annually. The application must demonstrate that the school is operated in compliance with State statutes, standards as defined in the *Kansas State Plan for Special Education*, special purpose school accreditation standards, and other regulations of the State Board of Education. The accreditation status for each school is determined by evaluation of the data provided by the school in official reports, reports from State Department of Education staff, and reports from other agencies, e.g. the State Department of Health and Environment and the State Fire Marshal. Each school is visited annually by State Department of Education staff as part of the accreditation process.

All contracts between school districts and nonpublic education schools are reviewed annually by the Special Education Administration Section of the Department. Such contracts must be approved by the Commissioner of Education.

XIII

Recovery of Part B Funds for Misclassified Children

A. Policy

It shall be the policy of the State Board of Education to recover any Part B, Education of All Handicapped Children Act funds made available to any local education agency for services to any child who is determined to be erroneously classified as eligible to be counted under Section 611 of the Act. In order that such a determination of eligibility may be made, local education agencies seeking pass-through funds under Part B shall:

1. Maintain records showing that each child counted was, on the date of the count, receiving special education and related services as designated in that child's individualized educational program.
2. Provide documentation that each child counted has been determined, through a comprehensive evaluation, to be handicapped and in need of special education and related services. For the purpose of this count the Federal definition of "handicapped children" shall be used, i.e. *those children evaluated by qualified professionals as being mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, orthopedically impaired, other health impaired, or children with specific learning disabilities, who by reason thereof require special education and related services* (Title 45 of the Code of Federal Regulations).
3. Provide assurance that no child has been counted who also has been reported for Federal support under Section 121 of the Elementary and Secondary Education Act is amended by P.L. 89-313.

The Federal restrictions on the number and type of handicapped children who may be counted for Part B funds shall in no way affect the responsibility of each local school board to provide special education to all exceptional children as specified in State laws, rules and regulations.

B. Procedures

1. Identification of misclassified children.
   (a) Routine State auditing procedures shall include examinations of special education program enrollments on October 1 and February 1 and the individualized educational plan of each child counted.
   (b) Site visits by SEA staff shall include classroom observations and examination of student records toward the end of determining the appropriateness of placement decisions.
2. Retrieval of funds: If it is determined that overpayment has been made to any LEA because of an erroneous count, or that payment has been made for a child ineligible to be counted under Federal regulations, the amount of overpayment shall be deducted from that LEA's allocation in the next fiscal year.

XIV

Local Education Agency Applications for Pass-Through Funds Under P.L. 94-142

A. Procedures for Application Approval

Each local education agency's updated Local Comprehensive Plan and Annual Survey Form to be submitted by May 15 of each year shall serve as the major portion of that LEA's application for the fiscal year for which it has been submitted. Proper assurances must also be provided relative to the control and use of any funds received under Part B of the Education of All Handicapped Children Act.

By August 15 of each year, the Program Approval and Compliance Section of the State Department of Education shall notify each LEA whether or not its Comprehensive Plan has been approved. Any deficiencies in its Local Comprehensive Plan shall be specified. In Fiscal Year 1978, LEA's shall have until January 1, 1978, to correct such deficiencies in order to establish eligibility for Part B funds. In subsequent fiscal years, approved plans must be on file by October 15 in order to receive Part B funds for that fiscal year.

No district shall be eligible for Part B funds unless it generates a minimum of $7,500 under the funding formula of P.L. 94-142. Consolidated applications, however, may be made by comprehensive special education cooperatives which have on file a cooperative contract approved by the Kansas Commissioner of Education. A comprehensive special education cooperative is defined as a plan whereby the boards of two or more school districts enter into an agreement to provide special education services for all exceptional children on a shared cost basis. If individual districts within the cooperative provide some special education services independently of the cooperative, either (1) the Local Comprehensive Plan submitted by the cooperative must show how these individually provided services are articulated to assure full educational opportunities for all exceptional children or (2) the district providing independent special education services must submit a separate plan showing how all resident exceptional children will be served.

B. Unused LEA Funds

The entitlement of any district unable or unwilling to meet the eligibility criteria for Part B pass through funds shall be held by the State Department of Education in a contingency fund. Any local district entitlements held in this fund shall be applied toward the cost of services for any unserved school-age handicapped child who becomes known within that district. Unused entitlements shall be carried-over for one year and added to the current entitlement of each district.

C. Hearing on LEA Application

The timelines established for the submission, State review, and final approval of Local Comprehensive Plans are deemed to afford local education agencies reasonable time to establish eligibility for Part B pass through funds. No final action shall be taken to withhold such funds from any school district until that district has had an opportunity to present evidence to the Kansas Commissioner of Education or his designee showing why the application should be approved.

XV

EVALUATION

INTRODUCTORY STATEMENT

The Kansas State Department of Education is required by K.S.A. 1974 Supp. 72-971 to assess the progress or lack thereof in providing services to exceptional children in terms of numbers of children served. Additionally, a stated objective of the Department is "to develop, disseminate, and/or provide leadership in both state and local evaluation to determine the effectiveness of special education programming."

On the state level, the essence of evaluation in special education is to assess the efficiency of the program in achieving its objectives and to initiate program improvement through timely feedback of information to the local education agencies. Traditionally, the concern has been with audit and compliance types of evaluation; for example, eligibility requirements are met and money goes where it is assigned. Although this type of evaluation is still practiced at the state level, it is only one phase of an evaluation system in special education. The evaluation of all special education programs on the state level is based on a four-phase procedure:

(1) Evaluation of implementation,
(2) Evaluation of progress,
(3) Evaluation of outcome, and
(4) Evaluation of impact.

EVALUATION OF IMPLEMENTATION

Evaluation of implementation includes program approval which involves the assessment of the school district or cooperative complying with the criteria of the program. Facilities, size of class, and teacher preparation exemplify criteria that must be assessed before a special education program is approved or disapproved. The professional experience and background of special education specialists make them uniquely suited to offer subjective value judgments about the program; but, to ensure that evaluation is done on a systematic basis, subjective value judgments are supported by written records. State procedures of implementation evaluation include the following:

(1) A standard format is used for program approval in each program. This takes form as approval of applications for programs and the local comprehensive plan. These activities include the compilation of data collected by school districts, including number of exceptional children served and those yet to be served within the various categories of exceptionality, program costs, number of special education teachers and support personnel, and projected program costs. Review of local comprehensive plan or update — a written evaluation of such plans — are returned to each submitting district by the beginning of each school year.
(2) Special education services in accreditation procedures, both as a comprehensive school as well as a special purpose school, are reviewed.
(3) Evaluation is made from the provisions in the standards in specific program area guidelines for evaluation of program progress. Such standards interrelate state and local program activities for comprehensive and continuous evaluation.
(4) Evaluation of special education personnel follows the procedures of K.S.A. 72-9001 through 72-9006. Districts/cooperatives are encouraged to develop criteria which give consideration to competencies specifically related to effective instruction for the various types of exceptional children.
(5) Certain statistical information is necessary for both state and local program planning and evaluation. At a minimum, districts collect those data required by the annual survey form.

EVALUATION OF PROGRESS

Evaluation of progress involves monitoring to determine the extent to which the specified elements of the programs have been implemented according to local districts' comprehensive plan for providing special education services to all exceptional children of school age residing within the district. Periodic observations are made in the classroom of the school's facilities. Much of this type of evaluation is by professional judgment, although a standard format to be followed for developing a written evaluation is completed for each on-site visit.

Procedures of progress evaluation include the following:

(1) Documentation of on-site visits to the program is maintained. These visitations by special education staff are for the purpose of evaluating local programs in terms of compliance with state and federal guidelines as well as with locally stated objectives. Visitation reports are submitted to the sponsoring district. These reports note program strengths and weaknesses and include recommendations for improvement.

(2) End-of-Year Reports supply information concerning service to children.

OUTCOME EVALUATION

Outcome evaluation provides information about the success or failure of the program. The information can support a decision to maintain, modify, expand, or discontinue a program. All special education programs desire the following outcomes:

(1) Identification of children and youth who need special education services.

(2) Improved special education programs and support services.

(3) Improved management of special education programs.

(4) Appropriate educational placement of students according to evaluation.

(5) Continual appraisal of the student's progress to the parents.

(6) Identified objectives for each student participating in the special education programs.

(7) Confidentiality of all collected information and records of each special project.

IMPACT EVALUATION

Impact evaluation is assessment of the overall effectiveness of the special education program in meeting the needs of handicapped and gifted students. There is impact evaluation in some areas of special education, but much impact evaluation has relied on human judgment about the performance of others.

For Fiscal Year 1979, the Special Education Administration Section developed a standardized impact evaluation procedure for the special education program. The starting point of the procedure is with the probability sampling of the district's Individual Education Program (I E P). This type of sampling allows a fairly good appropriation of the special education population. The probability sampling frame is in the design stage but includes the following:

(1) Evaluation procedures, including nondiscriminatory testing, and interdisciplinary practices.

(2) Staffing patterns.

(3) Types of annual goals and short-term objectives by area of exceptionality in appropriate instructional groupings.

(4) Parental/pupil involvement in the I E P development.

(5) Teacher involvement in the I E P development.

(6) Measurement of pupil progress toward annual goals and short-term objectives.

It should be noted that this objective approach to evaluation is essential in determining the effectiveness of the special education program; but, like in all social programs, soft data (interviews, observations, questionnaires and opinionnaires) still play an important role in program impact. Those who are receiving the service can offer an invaluable source of information: a student's view of himself/herself of his/her parents' opinion of the special education program. Their perspective can provide the insight to the probability of program success or failure.

Thus, the Special Education Administration Section evaluates the special education program's impact both objectively through a probability sample and subjectively through interview or questionnaire. Portions of this evaluation report will be included in the *Fiscal Year 1979 Special Education State Plan.*

TABLE 1. — DETAILED TIMETABLE

DATE

NAME OF STATE

Show the percent (%) of the State's population of handicapped children expected to be receiving full educational opportunities in each school year. In the appropriate cells, *estimate the year you expect all children to be provided full educational opportunities *(full service)*.

HANDICAPPING CONDITIONS		A. AGES 3 THRU 5			B. AGES 6 THRU 17		C. AGES 18 THRU 21					D. AGES 0 THRU 2 ESTIMATE THE YEAR FULL SERVICES ARE EXPECTED TO BE REACHED SCHOOL YEAR NON-CATEGORICAL
		(%) SCHOOL YEAR 1977-78	(%) SCHOOL YEAR 1978-79	ESTIMATE YEAR* OF FULL SERVICE	(%) SCHOOL** YEAR 1977-78	(%) SCHOOL*** YEAR 1978-79	(%) SCHOOL YEAR 1977-78	(%) SCHOOL YEAR 1978-79	(%) SCHOOL YEAR 1979-80	(%) SCHOOL YEAR 1980-81	ESTIMATE YEAR* OF FULL SERVICE	
a. Mentally Retarded	2.5%			1983	76%	76%	76%	76%	97%	100%	1980-81	1985
b. Hard of Hearing	0.5%	Categorical percentages are not available, but it is estimated that 20% of this age group will receive educational services through the Department of Social & Rehabilitation Services, Head Start, and public schools by the 1978-79 school year.		1983	38%	56%	38%	56%	85%	100%	1980-81	
c. Deaf				1983	Note: 100% of severely hearing impaired currently being served							
d. Speech Impaired	5.0%			1983	100%	100%	100%	100%	100%	100%	1977-78	
e. Visually Handicapped	0.1%			1983	100%	100%	100%	100%	100%	100%	1977-78	
f. Seriously Emotionally Disturbed	1.0%			1983	66%	81%	66%	81%	100%	100%	1979-80	
g. Orthopedically Impaired	0.1%			1983	100%	100%	100%	100%	100%	100%	1977-78	
h. Health Impaired				1983								
i. Specific Learning Disability	3.0%			1983	100%	100%	100%	100%	100%	100%	1977-78	

* If these requirements are inconsistent with your State law, or practice, estimate the year you expect to reach full services in these areas.

** 1977-78 — Based on actual number of children served (as reported to LEA's on End-of-Year Reports for FY 1978) compared to a prevalence estimated. The prevalence estimates used are listed for each categorical area on the chart.

*** 1978-79 — Based on actual number of children served (as reported to LEA's on End-of-Year Reports for FY 1978) compared to a prevalence estimated. The prevalence estimates used are listed for each categorical area on the chart.

TABLE 2 A. - STATE PERSONNEL SUMMARY OF ACTUAL NUMBER OF PERSONNEL EMPLOYED DURING THE 1977-1978 SCHOOL YEAR FOR SERVICE TO THE 0-21 AGE HANDICAPPED POPULATION

PERSONNEL	1. Teachers of Special Classes	2. Resource Room Teachers	3. Itinerant/ Consulting Teachers	4. Psychologist	5. School Social Workers	6. Occupational Therapists	7. Home-Hospital Teachers	8. Speech Pathologists	9. Audiologists	10. Teacher Aiders	11. Vocational Education Teachers	12. Work-Study Coordinators	13. Physical Education Teachers	14. Recreation Therapists	15. Diagnostic Staff	16. Supervisors	17. Other Non-Instructional Staff	18. TOTAL
TOTAL (Sum of columns b-j) (a)	1,011.9	722.9	303.3	233.5	52.8	6.0	45.8	303.68	9.0	978.93	23.0		3.0		See Sch. Psych.	99.2	62.56	3,855.57
MENTALLY RETARDED (b)	594.8	165	37															
HARD OF HEARING (c)	72.3	14.5	15															
DEAF (d)																		
SPEECH IMPAIRED (e)	Counted under speech pathologists																	
VISUALLY HANDICAPPED (f)	24	1	18.5															
SERIOUSLY EMOTIONALLY DISTURBED (g)	174.1	138.5	9.1															
ORTHOPEDICALLY IMPAIRED (h)	16.0	2.0																
HEALTH IMPAIRED (i)	7	25.9	40.9															
SPECIFIC LEARNING DISABILITIES (j)	123.7	376	182.8															

TABLE 2B - STATE PERSONNEL SUMMARY OF PROJECTED NUMBER OF PERSONNEL NEEDED TO MEET THE FULL EDUCATIONAL OPPORTUNITIES GOAL DURING THE 1977-1978 SCHOOL YEAR FOR SERVICES TO THE 0-21 AGE HANDICAPPED POPULATION

PERSONNEL	1. Teachers of Special Classes	2. Resource Room Teachers	3. Itinerant/ Consulting Teachers	4. Psychologist	5. School Social Workers	6. Occupational Therapists	7. Home-Hospital Teachers	8. Speech Pathologists	9. Audiologists	10. Teacher Aiders	11. Vocational Education Teachers	12. Work-Study Coordinators	13. Physical Education Teachers	14. Recreation Therapists	15. Diagnostic Staff	16. Supervisors	17. Other Non-Instructional Staff	18. TOTAL
TOTAL (Sum of columns b-j) (a)	1,076.3	794.06	375.9	239	52.8	6.0	55.4	303.68	10.0	1,001.7	23.0		3.0			105	72.2	4,118.04
MENTALLY RETARDED (b)	630.8	184.2	37															
HARD OF HEARING (c)	72.3	22.8	15															
DEAF (d)																		
SPEECH IMPAIRED (e)	Counted under speech pathologists																	
VISUALLY HANDICAPPED (f)	24	1	19.5															
SERIOUSLY EMOTIONALLY DISTURBED (g)	181.1	145.76	16.1															
ORTHOPEDICALLY IMPAIRED (h)	16.0	17.0																
HEALTH IMPAIRED (i)	7	25.9	84.1															
SPECIFIC LEARNING DISABILITIES (j)	145.1	397.4	204.2															

These data represent the combined actual positions and actual position vacancies for FY 1978

TABLE 2C. - STATE PERSONNEL SUMMARY OF PROJECTED NUMBER OF PERSONNEL NEEDED TO MEET THE FULL EDUCATIONAL OPPORTUNITIES GOAL DURING THE 1978-1979 SCHOOL YEAR FOR SERVICE TO THE 0-21 AGE HANDICAPPED POPULATION

PERSONNEL	1. Teachers of Special Classes	2. Resource Room Teachers	3. Itinerant/ Consulting Teachers	4. Psychologist	5. School Social Workers	6. Occupational Therapists	7. Home-Hospital Teachers	8. Speech Pathologists	9. Audiologists	10. Teacher Aiders	11. Vocational Education Teachers	12. Work-Study Coordinators	13. Physical Education Teachers	14. Recreation Therapists	15. Diagnostic Staff	16. Supervisors	17. Other Non-Instructional Staff	18. TOTAL
TOTAL (Sum of columns b-j) (a)		2,522.5		316	83	10	54.5	390	10	1,522	25		3	3		90	72	
MENTALLY RETARDED (b)		856																
HARD OF HEARING (c)		141																
DEAF (d)																		
SPEECH IMPAIRED (e)	Counted under speech pathologists																	
VISUALLY HANDICAPPED (f)		58																
SERIOUSLY EMOTIONALLY DISTURBED (g)		492																
ORTHOPEDICALLY IMPAIRED (h)		54																
HEALTH IMPAIRED (i)		54.5																
SPECIFIC LEARNING DISABILITIES (j)		867																

These data represent the FTE units reported by local education agencies as necessary to provide full service to handicapped children ages 5-21. It is anticipated that implementation of individualized education program procedures will enable LEA's to predict more accurately future needs.

TABLE 3. — CHILDREN SERVED AND SERVICE NEEDS IN PRIORITY AREAS	STATE Kansas	DATE

1977-1978

HANDICAPPING CONDITIONS	RECEIVING AN EDUCATION WHICH MEETS ALL EDUCATIONAL NEEDS* (1)			1ST PRIORITY NOT RECEIVING AN EDUCATION + (2)			2ND PRIORITY, SEVERELY HANDICAPPED BEING EDUCATED, BUT REQUIRING ADDITIONAL SPECIAL EDUCATION AND RELATED SERVICES* ++ (3)		
	3 thru 4	5 thru 17	18 thru 21	3 thru 4	5 thru 17	18 thru 21	3 thru 4	5 thru 17	18 thru 21
Mentally Retarded	53	7,794	673	60	0	0		18	
Hard of Hearing	43	832	18	60	0	0		21	
Deaf									
Speech Impaired	194	10,345	104	158				7,641	
Visually Handicapped	15	381	30	4				1	
Seriously Emotionally Disturbed	30	2,808	119	30				197	
Orthopedically Impaired/Health Impaired	11	638	29	15				7	
Developmentally Delayed				31					
Specific Learning Disabilities	28	13,907	166	5				144	
TOTAL	374	36,685	1,139	363				8,029	

*(1) Include only handicapped children who are having all of their educational needs met.

*(3) Include those handicapped children who are not having all of their educational needs met.

\+ Number of children reported by LEA's as identified but not served on May 1, 1978 Annual Survey and number of unserved children identified through child find activities.

++ Number of children reported by LEA's on Fiscal Year 1978 End-of-Year Report as underserved. These data have not been verified and are questionable.

TABLE 4. - LEAST RESTRICTIVE ENVIRONMENT (Include both 89-313 and 94-142)
(Placement and number of handicapped children in each setting for school year 1977-1978*)

STATE Kansas **DATE**

DISABILITY	REGULAR CLASS **(A)				SEPARATE CLASS **(B)				SEPARATE SCHOOL FACILITY **(C)				OTHER EDUCATIONAL ENVIRONMENT **(D)			
	TOTAL RECEIVING SPECIAL EDUCATION IN REGULAR CLASS BY AGE CLASSIFICATION			ADDITIONAL NEEDING PLACEMENT IN REGULAR CLASS	TOTAL RECEIVING SPECIAL EDUCATION IN SEPARATE CLASS BY AGE CLASSIFICATION (5,878 of these children receive part time instruction in regular class)			ADDITIONAL NEEDING PLACEMENT IN SEPARATE CLASS	TOTAL RECEIVING SPECIAL EDUCATION IN SEPARATE SCHOOL FACILITIES BY AGE CLASSIFICATION			ADDITIONAL NEEDING PLACEMENT IN SEPARATE SCHOOL FACILITIES	TOTAL RECEIVING SPECIAL EDUCATION IN OTHER EDUCATIONAL ENVIORNMENTS BY AGE CLASSIFICATION			ADDITIONAL NEEDING PLACEMENT IN OTHER EDUCATIONAL ENVIRONMENTS
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
	3 thru 5	6 thru 17	18 thru 21	3 thru 21	3 thru 5	6 thru 17	18 thru 21	3 thru 21	3 thru 5	6 thru 17	18 thru 21	3 thru 21	3 thru 5	6 thru 17	18 thru 21	3 thru 21
Mental Retardation	0	732	26	18	52	6,555	513		1	436	133		0	73	1	
Hard of Hearing	4	211	14	21	38	213	0		1	407	4		0	1	0	
Deaf																
Speech Impaired	46	6,507	28	7,641	147	3,603	75		1	193	1		0	42	0	
Visually Handicapped	6	231	6	1	9	46	1		0	81	23		0	3	0	
Seriously Emotionally Disturbed	0	296	11	197	14	1,362	19		0	1,033	91		16	117	7	
Orthopedically Impaired	6	78	1	7	5	207	5		0	13	1		0	340	22	
Health Impaired																
Specific Learning Disability	6	12,708	166	144	22	1,198	0						0	1	0	
TOTAL	68	20,763	252	8,029 ***	287	13,182	604		3	2,163	253	0	16	577	30	

NOTE: Data reported in columns (5), (9), (13), and (17), concerning needed services will be translated into facility projections by the Office of Education.

An unknown number of five-year-old children is included in the 6-17 count. Services are mandated for exceptional children who are five(5) on or before September 1 of the school year, therefore these children are considered to be of school age.

* Placement refers to the primary placement of the handicapped child as determined by the individualized education program.

** See attached definitions for Table 4.

*** The 8,029 children reported as needing placement in regular class represent the number of 5-21 year old children reported by school districts as needing but not receiving special education. It is assumed that most of these children will be served in resources or itinerant programs. An additional 363 children in the 3-4 year old age chart have been identified as needing, but not receiving special education. These children are reported in Table 3.

TABLE 4 — RAW DATA FOR LEAST RESTRICTIVE ENVIRONMENT

Special Education
End-of-Year Report

Program Area	SEPARATE CLASS (REPORT CHILDREN ASSIGNED TO SPECIAL CLASSES ONLY)																				Total
	Self-Contained Classroom with Part-Time Instruction in Regular Class					Self-Contained Special Class Full-time on a Regular School Campus					Self-Contained Special Class in a Special Public Day School Facility					Non-Categorical/Inter-Related					
	Under 3	3-4	5-11	12-17	18-21	Under 3	3-4	5-11	12-17	18-21	Under 3	3-4	5-11	12-17	18-21	Under 3	3-4	5-11	12-17	18-21	
(EMR) Semi-Independent			1,328	2,035	280	1	18	1,050	776	63				1	1		2	31	87	30	5,703
(TMR) Semi-Dependent			26	33	9		11	286	323	65			115	227	58		3				1,156
(Dependent) Severely Retarded				1				15	10												26
Totally Dependent								3	5												8
Learning Disabled			199	92			20	626	158							1	2	79	44		1,221
Hearing Impaired			122	28		3	37	51	8				4				1				254
Physically Impaired			30	26			2	40	11	1			16	30	4	5	3	54			222
Gifted				11			2	411													424
P.S.A. (Emot. Dist.)			261	244	1		12	233	87	1			11	103	1		2	2	421	7	1,386
Visually Impaired	2	1	3	15			1	14	2	1			6	2		1	7		4		59
Severely Multiply Handicapped*			22	12		1	14	65	44	5	1	4	33	22	2			2	1		226
Speech Impaired**		10	742	335	10	20	116	1,741	149	57			417	52	8		21	142	25		3,845

Special Education
End-of-Year Report

Program Area	SEPARATE SCHOOL FACILITY															Total
	Self-Contained Special Class in Private Day School Facility					Public Residential School Facility					Private Residential School Facility					
	Under 3	3-4	5-11	12-17	18-21	Under 3	3-4	5-11	12-17	18-21	Under 3	3-4	5-11	12-17	18-21	
(EMR) Semi-Independent			33	51	1			6	53	13				1		158
(TMR) Semi-Dependent			17	42	10			13	46	25			2	6		164
(Dependent) Severely Retarded			1				1	8	28	21						59
Totally Dependent			1						4	1				1		7
Learning Disabled			6	1					48							55
Hearing Impaired			4	3			1	20	38	4				2		72
Physically Impaired			3	2	1			1					2	5		14
Gifted																
P.S.A. (Emot. Dist.)			17	62				32	908	91				14		1,124
Visually Impaired			1	1					9	23						34
Severely Multiply Handicapped*			18	5				10	66	58			1	3	1	162
Speech Impaired**			56	58	1		1	2	9				67	1		195

Special Education
End-of-Year Report

Program Area	REGULAR CLASS (COUNT STUDENTS ASSIGNED TO REGULAR EDUCATION)																				Total
	Regular Class with Indirect Services within Regular Class					Regular Class with Direct Services and Instruction within Regular Class					Regular Class with Resource Room Services					Non-Categorical/Inter-Related					
	Under 3	3-4	5-11	12-17	18-21	Under 3	3-4	5-11	12-17	18-21	Under 3	3-4	5-11	12-17	18-21	Under 3	3-4	5-11	12-17	18-21	
(EMR) Semi-Independent			15	4	1			21	10	1			39	412	6			83	140	18	750
(TMR) Semi-Dependent				2																	2
(Dependent) Severely Retarded																					
Totally Dependent																					
Learning Disabled			121	57	5			1,301	344	52		6	3,832	5,702	86			472	879	23	12,880
Hearing Impaired			27	17	2		4	23	35	4			47	58	2				4	6	229
Physically Impaired			21	8	1		6	18	12				17	2							85
Gifted			574	99				477	87				1,206	434	2						2,879
P.S.A. (Emot. Dist.)			33	13				81	26				27	63	10			21	32	1	307
Visually Impaired		1	17	14	2		5	133	41	3			26		1						243
Severely Multiply Handicapped*				3					1					2							6
Speech Impaired**		39	1,420	90				1,435	473	1		7	2,781	225	4			57	26	23	6,581

Special Education
End-of-Year Report

Program Area	OTHER EDUCATIONAL ENVIRONMENTS																				Total
	Hospital Programs					Homebound Instruction					Evaluation/Social History					Intervention/Treatment					
	Under 3	3-4	5-11	12-17	18-21	Under 3	3-4	5-11	12-17	18-21	Under 3	3-4	5-11	12-17	18-21	Under 3	3-4	5-11	12-17	18-21	
(EMR) Semi-Independent			5	54				5	7	1											72
(TMR) Semi-Dependent																					
(Dependent) Severely Retarded																					
Totally Dependent																					
Learning Disabled									1												1
Hearing Impaired				1																	1
Physically Impaired			1	4	1			96	239	21											362
Gifted									7												7
P.S.A. (Emot. Dist.)	1	16	19	92	7			2	4												141
Visually Impaired									3												3
Severely Multiply Handicapped*								2													2
Speech Impaired**								41	1												42
Speech/Language											89	1,132	14,343	2,504	42	24	178	9,625	1,019	48	29,004
School Psychology											97	826	10,830	5,204	213	77	269	13,260	3,271	70	34,117
School Social Work											75	69	2,901	426	41	75	90	3,582	671	29	7,959

TABLE 5 - IN-SERVICE TRAINING FORM (1978-1979 School Year)

AREA OF TRAINING (a)	NUMBER AND TYPES OF PERSONS TO RECEIVE IN-SERVICE TRAINING (b)																						
	REGULAR CLASS TEACHERS	SPECIAL CLASS TEACHERS	RESOURCE ROOM TEACHERS	ITINERANT/CONSULTING TEACHERS	HOME-HOSPITAL TEACHERS	PHYSICAL EDUCATORS	VOCATIONAL EDUCATORS	TEACHER AIDES	WORK-STUDY COORDINATORS	RECREATIONAL THERAPISTS	OCCUPATIONAL THERAPISTS	SPEECH PATHOLOGISTS	AUDIOLOGISTS	PSYCHOMETRISTS/EDUCATIONAL DIAGNOSTICIANS	PSYCHOLOGISTS	SCHOOL SOCIAL WORKERS	PARENTS OF HANDICAPPED CHILDREN	SURROGATES	VOLUNTEERS	HEARING OFFICERS	SUPERVISORS	ADMINISTRATORS	OTHER, NON-INSTRUCTIONAL STAFF
Diagnostic Procedures														20							10	10	
Instructional Procedures		160	30			20	25	60	25													300**	
Implementation of P.L. 94-142																							
-Individual Education Programs																	150					50	50
-Least Restrictive Environment																							
-Procedural Safeguards																				75			
-Use of Surrogates																							
-Priorities - Served - Unserved																							
-Non-Discriminatory Testing															80								
OTHER (Specify) Program Evaluation																					100		
Severely/Profoundly Handicapped																						80	

* Teacher Trainer, I.H.E.
** 300 General education administrators to be trained as facilitators. Each will be responsible for providing local in-service for regular education teachers.
See page 24 for timetable for in-service training.

APPENDIX

Statement Concerning Publication of an Opportunity for Comment on the Annual Program Plan Under Part B of the Education of the Handicapped Act

A. Pre-Submission. An affidavit of publication of the statement which appeared in the May 13, 1978, issue of the official State newspaper, the *Topeka Daily Capitol* is included on page 82.

B. Public Hearing. A summary of the comments made at the Public Hearing conducted by the Kansas State Board of Education on June 13, 1978, and a copy of the Department of Education's response to the public comments is included on page 80.

On July 11, 1978, the State Board of Education unanimously voted to adopt the draft Annual Program Plan as submitted and authorized any minor changes required as a result of review by the Bureau of Education for the Handicapped, United States Office of Education.

C. Post-Submission. The following notice will be published once the Annual Program Plan for Fiscal Year 1978 is approved by the U.S. Commissioner of Education:

You are hereby notified that the Fiscal Year 1979 Kansas Program Plan for Title VI-B, Education of All Handicapped Children Act, as adopted by the State Board of Education on July 11, 1978, has been approved by the United States Commissioner of Education and a grant awarded to the State of Kansas in the amount of . The priority for said funds shall be the providing of services for handicapped children not presently receiving an education, including preschool handicapped and additional services for the most severely handicapped children in any category who currently are receiving inadequate services. Said E.H.A. Part B funds are not to be used to supplant local or state monies, but rather to help defray the excess cost of special education and related services. The contents of the program plan include a reaffirmation of the Kansas goal for providing full educational opportunities to all handicapped children and the procedures to be employed by the State Department of Education in meeting the provisions of P.L. 94-142. Copies of the program plan may be obtained from Special Education Administration Section, Kansas State Department of Education, 120 East 10th, Topeka 66612.

STATE PLAN FOR FISCAL YEAR 1979
PLAN FOR TITLE VI-B

COMMENTS AT PUBLIC HEARING Date: June 13, 1978 Gerald Miller, TARC	KANSAS STATE DEPARTMENT OF EDUCATION Recommended Actions
1. Title "Full Occupational Goal" should read "Full Educational Opportunities Goal."	1. Apologies for this proof-reading oversight.
2. P.L. 94-142 requires the education of handicapped children in settings as nearly normal as possible. The commenter questions the legality of providing education within a state institution for children not diagnosed as mentally retarded or diagnosed as educable mentally retarded especially when State law would allow the institution to contract for public school services.	2. This comment does not seem to be applicable to the VI-B plan per se. Statutory due process procedures are available to parents who believe that their children's rights are being violated. The Special Education Administration Section is working with the Department of Social & Rehabilitation Services to implement free and appropriate public education for institutionalized children.
3. At least two classes in teaching exceptional children should be required of all teachers in Kansas.	3. Regulations which require coursework in special education for recertification are being considered by the State Board.
4. Due process rights should be explained to parents in the staffing conference during eligibility for special education is determined or the IEP conference.	4. An explanation of parent/child due process rights is required in the written prior notification requesting parental consent for a preplacement evaluation. Thus, parents of children being considered for placement in special education should already have been informed prior to the staffing or IEP conference. The FY 1979 revision of the Kansas State Plan attempts to clarify the position of the IEP conference in relation to due process procedures for children before or after special education placement.
5. Some districts hold informal conferences at which the school psychologist interprets test results and makes placement recommendations to parents. Placement recommendations should be reserved for the IEP conference.	5. This comment does not seem to be applicable to the VI-B Plan per se. A discussion of the operations of specific LEA operations is not appropriate in this response.

6. Parents should have right to request review and revision of the IEP.	6. Parents must have opportunity to participate in the IEP review/revision which must occur annually.
7. A school district should be responsible for cost related to the evaluation and placement procedures used to determine the eligibility of a private school pupil for participation in a public school Special Education program. The school district should not be responsible for participation in a private school Special Education program without proper endorsements (for example: IEP).	7. A telephone call confirmed that this statement relates to preschool handicapped. Districts are responsible for evaluating preschool children in private schools prior to entrance into public schools. Since, at the present time, there is no legal mechanism for accrediting private preschools, the problem of transition of the IEP cannot be addressed.

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, SHAWNEE COUNTY, ss:

Leslie J. Palace, being first duly sworn, deposes and says: That she is Legal Clerk of THE TOPEKA DAILY CAPITAL, a daily newspaper printed in the State of Kansas, and published in and of general circulation in SHAWNEE County, Kansas, with a general paid circulation on a monthly basis in SHAWNEE County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a daily published at least weekly 50 times a year; has been so published continously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Topeka in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for (1) one consecutive days, the first publication thereof being made as aforesaid on the 13th day of May, 1978, with subsequent publications being made on the following dates:

_____, 197__ _____, 197__

_____, 197__ _____, 197__

_____, 197__ _____, 197__

Leslie J. Palace

Subscribed and sworn to before me this 22nd day of May, 1978.

PHYLLIS J. CHRISTOPHER NOTARY PUBLIC STATEWIDE SHAWNEE COUNTY, KANSAS

Phyllis J. Christopher
Notary Public

My commission expires: March 3,1981

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NOTICE OF PUBLIC HEARING
By the Kansas State Board of Education
TO ALL TEACHERS, ADMINISTRATORS, BOARDS OF EDUCATION, TRUSTEES AND CONTROL, TEACHER TRAINING INSTITUTIONS, SCHOOL AND COMMUNITY JUNIOR COLLEGE DISTRICTS, AND ALL OTHER PERSONS WHOM IT MAY CONCERN:

You are hereby notified that the Kansas State Board of Education will hold a public hearing in the [illegible] public conference room of the Kansas State Department of Education, Kansas Room, Education Building, 120 East Tenth Street, Topeka, Kansas, 66612, on the 26th day of June, 1978, beginning at 9:30 a.m. and will consider the [illegible] Kansas Administrative Regulations (K.A.R.) of state agency 91, numbered K.A.R. 91-1-2, 91-1-3, 91-1-4 and 91-1-8, which said board proposes to adopt as temporary regulations as soon thereafter as the same have been put in final orders and as permanent regulations to become (regularly effective May 1, 1979. Said proposed [illegible] conform the substance of the proposed [illegible] the Kansas State Plan for Vocational [illegible] becoming effective July 1, 1978, as well [illegible] Annual Program for compliance [illegible] and the Education of All Handicapped Children Act, as amended by P.L. 94-142, to become effective upon adoption by the state board [illegible] of the Kansas State Department of Education.

The rules and regulations and state plans generally relate to: requirements for certification of teachers, changes in the Kansas State Plan for Vocational Education, and Kansas Annual Program for Compliance with Title VI-B of the Education of All Handicapped Children Act, and more particularly to:

1. Amending K.A.R. 91-1-2 (General Requirements) and 91-1-4 (Special Certificates) by omitting specific certificates described under "J." and "L." in K.A.R. 91-1-2 and relocating them in K.A.R. 91-1-4. Other changes are editorial.

2. Amending K.A.R. 91-1-3 (Secondary Certificates) and 91-1-3 (Elementary Certificates) by requiring a two-semester hour survey course in exceptional children for all teachers applying for secondary or elementary certificates. The Professional Teaching Standards Advisory Board, organized by law to advise the state board on certification matters, and the Kansas Association for Children with Learning Disabilities have recommended this renewal requirement. It is the belief of all who have supported this requirement that it will help the regular classroom teacher: (1) recognize students with learning or behavioral problems and (2) provide them with the knowledge needed to see that help is provided for students either in the regular classroom or by referral.

The many editorial changes do not affect the substance of the requirements in this section.

3. Amending the One and Five-Year State Plan for Vocational Education, Fiscal Year 1979, 1980, which implemented Public Law 94-482, dated October 12, 1976, cited by "Vocational Amendments of 1976" by updating data and making revisions in activities and funding allocations in the Kansas Vocational Education Annual Plan for Fiscal Year 1979. Update are: Chapter 1, Certifications; Chapter 2, Overview of the Plan; Chapter 3, Procedure for Development and Revision of Plan; Chapter 4, State Administration; Chapter 5, Assurances; Chapter 6, Employment Needs Assessment; Chapter 7, Meeting Manpower Needs; Chapter 8, Program Improvement and Support Services; Chapter 9, Disadvantaged and Handicapped programs; and Chapter 10, Annual Allocations.

4. Amending Kansas Annual Program Plan for compliance with Title VI-B of the Education of All Handicapped Children Act as amended by P.L. 94-142, which is necessary for the funding of some [illegible] for fiscal year 1979, in the amount of $8,[illegible]. Priority for said funds shall be the providing of services for handicapped children not presently receiving an education, including preschool handicapped, and additional services for the most severely handicapped children in any category currently are receiving inadequate or inappropriate services. Said EHA-B funds are not to be used to supplant local or state monies, but rather to help defray the excess cost of special education. The contents of the Annual Program Plan include a reaffirmation of the Kansas goal for providing full educational opportunities to all handicapped children and the procedures to be employed by the state department of education in meeting the provisions of P.L. 94-142.

The fiscal impact statement for K.A.R. No. 91-1-2 and 91-1-4, shows these regulations are proposed to be amended for editorial and clarification changes and will have no fiscal impact on any governmental agencies or units, or on any private businesses.

The fiscal impact statement for K.A.R. No. 91-1-3 and 91-1-5 indicates the added cost of teaching certificates is being increased to $13.00 per certificate before the effective date of the "survey course in exceptional children" requirement to make the certification process self-supporting, and that there will be no additional cost to the Kansas State Department of Education in implementing them.

Said statement further indicates that courses may be taken at either the undergraduate or graduate level from either a "state" or "nonstate" higher education institution, and an estimated cost has been calculated by using 11,000 semester hours as a base figure, estimating three-fourths of the credit will be taken in Kansas state-supported universities which will require one and three-fourths additional staff (average of 1/4th staff member at the seven institutions), and using the Regents' salary of an associate professor.

It is assumed the state's church-related colleges will not need to add additional staff for the offering because of low enrollment and that there will be no additional cost to teachers inasmuch as they will also use this credit to renew their certificates. The total cost to the public and private sector is estimated at $7,875.

Copies of the above-numbered regulations are being attached to public hearing notices (which contain the fiscal impact statement, and the state board's public hearing procedures and guidelines) and are being mailed to all chief school administrators in the state and may be reviewed in their offices by interested persons. Copies of said public hearing notice are also being mailed to the clerk of each local school board for the attention of school board members.

On the date of said hearing all interested persons shall be given reasonable opportunity to be heard and to present their views or arguments, orally or in writing, on said proposed regulations and plans. Copies of said plans may be obtained by contacting the secretary of the state board prior to June 1, 1978. Individuals or organizations that cannot appear at the hearing may, prior to June 9, 1978, submit to the secretary of the state board of education their written reactions in favor of or in opposition to the said proposed regulations and they will be read into the record and considered by the board. Said hearing shall be conducted in compliance with the public hearing procedures and guidelines of the Kansas State Board of Education.

Certified by:

KANSAS STATE BOARD OF EDUCATION
By: DOROTHY G. GROESBECK
Chairman

MERLYN B. HOLTON,
Kansas Commissioner of Education